



# CHATHAM COUNTY POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURES

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**SOP # OPS-001:**

**EFFECTIVE: 02/01/18**

**CRIMINAL INVESTIGATIONS**

**REVISION DATE: 04/25/24**

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### **PURPOSE**

The purpose of this directive is to provide policy and general procedures for the conduct of the investigative function.

### **DISCUSSION**

The investigative function is a necessary requirement to solving crime. Investigations begin upon the first notification that a crime may have or has been committed and ends when the case is solved, and the perpetrator(s) is/are arrested and prosecuted or otherwise satisfactorily resolved. Cooperation is vital to effective investigative efforts.

### **POLICY**

It is the policy of the Chatham County Police Department (CCPD) to apply proactive investigative methods and to fully investigate, if possible, all reported crimes to the extent necessary to support prosecution and to comply with the highest standards of legal and professional conduct when conducting a criminal investigation involving persons suspected of violating the law. CCPD officers will conduct all investigations in a professional manner utilizing all approved training and in accordance with the laws of the State of Georgia, the Constitution of the United States, and the policies of the CCPD.

### **PROCEDURE**

The following procedures are guidelines to be followed by officers and investigators conducting criminal investigations. These procedures should not be considered restrictive or all-inclusive in nature.

#### **I. PRELIMINARY INVESTIGATIONS**

- A. A preliminary investigation shall be conducted by the primary Patrol officer dispatched to the call for service. This preliminary investigation may constitute the entire investigation of the crime and, therefore, should be completed in a thorough manner as outlined below. At a minimum, the uniformed patrol officer will conduct the preliminary investigation to a point where a lapse in the investigation will not hamper or jeopardize the outcome of the case nor prohibit the officer's return to service without undue delay. In circumstances that require notification of and an initial response from an investigator, the investigator will assume responsibility for follow-up investigations (i.e., homicide, armed robbery, etc.), but the primary uniformed patrol officer will still be responsible for preparing the preliminary investigative report.
- B. Preliminary Investigations include:

1. Observing all conditions, events, and remarks surrounding the crime scene.
  2. Locating and identifying witnesses.
  3. Maintaining the crime scene and protecting evidence.
  4. Conducting an area canvass.
  5. Interviewing the complainant and/or victim(s) and witnesses.
    - a. Special Circumstances
      - (1) Child sexual assault victims should only be interviewed in accordance with Chatham County Child Abuse Protocol.
      - (2) Homicide victim(s) names, when available and confirmed, will be documented in the original report. If the homicide victim's name is not available at the time the initial report is written, the immediate supervisor of the officer writing the report will ensure that the name is added to the report as soon as it is determined.
      - (3) Contact information for a homicide victim's next of kin will be included in the original report, if available. If the information is not available at the time of the original report, the investigator assigned to the case will ensure that the information is added to the report (by supplemental report) and transferred to the Records Management System within four hours of the homicide or as soon as it is discovered.
  6. Obtaining a suspect description and issuing a BOLO.
  7. Interviewing the suspect, except in homicide, rape, kidnapping, and child abuse cases.
  8. Collecting or preserving evidence or arranging for the collection and/or preservation of evidence.
  9. Conducting a "show-up" as an immediate identification method in accordance with CCPD SOP OPS-060.
  10. Affecting the arrest of the criminal.
  11. Reporting the incident fully and accurately.
- C. A sound preliminary investigation is essential for the successful completion of a case. Therefore, the officer should include as many useful details as possible in the preliminary report in order for the investigator to begin a follow-up investigation. The below information should be included at a minimum, if applicable:
1. Witnesses to the crime.
  2. Identification of the suspect(s) if known.
  3. Description of the suspect.
  4. Information concerning the location of the suspect.
  5. Existence of a significant Modus Operandi (MO).
  6. Results from a crime scene evidence search.
  7. Statements made by victims, witnesses, or suspects.

8. Presence of physical evidence.
9. Description of stolen property, including identifiable characteristics marks, or numbers.
10. Description of any automobiles involved in the crime.
11. Description of the scene.
12. Identification of the availability of video evidence at the crime scene, or adjacent properties that may contain video evidence, and if viewable on-scene, a description of what the video evidence illustrates.
13. Any other significant details or information.

## **II. FOLLOW-UP INVESTIGATIONS**

- A. Uniformed officers who take incident reports for minor offenses/misdemeanors will conduct an investigation into the incident until all efforts are expended.
  1. These offenses may include incidents such as theft of a bicycle, minor thefts from yards, hit-and-run crashes, shoplifting, etc.
  2. These follow-up investigations will require that there be solvability factors associated with the incident, such as a suspect name/description, vehicle tag, vehicle description, etc.
  3. The initial responding officer should expend all efforts when these circumstances exist to either obtain warrants for the offender or close the case/incident.
  4. Supervisors will review the incident reports written by their watch and ensure all incidents that fit this criteria are followed up to conclusion.
    - a. This includes ensuring supplemental reports are written by the officer detailing their follow-up, and reviewing/approving said supplemental.
    - b. Once the incident is concluded either by warrant issue/arrest, or lack of further information, the correct code should be selected in SSI when approving the final supplemental report for that incident.
  5. With supervisory approval, uniformed officers may conduct limited follow-up investigations of offenses other than those described above when there is a reasonable chance of immediate apprehension of the suspect, a need for obtaining additional information for the preliminary investigation report, or there are other compelling circumstances.
  6. Absent the foregoing criteria, follow-up investigations are the responsibility of CID.
- B. When a case is assigned to an investigator for a follow-up, they will review the preliminary investigation report to determine if any leads or suspects exist. If so, the investigator will:
  1. Read and become thoroughly familiar with the incident report.
  2. Contact the victim within twenty-four (24) hours to clarify facts of the case and ensure the victim knows how to contact the investigator.
  3. Contact witnesses and arrange for interviews.

4. Determine if there is any additional information via the originating officer or uniformed officers, informants, witnesses, and/or neighborhood interviews.
5. Disseminate information relative to crimes and suspect(s), if any, throughout the CCPD and other concerned agencies in the form of written alerts.
6. Conduct a search for witnesses, evidence, victims, or suspects, including an area canvas around the scene of the crime.
7. If necessary, use surveillance to apprehend suspects or gain additional information.
8. Utilize CCPD records, Crime Analysts, laboratories, Crime Intelligence Center (GCIC/NCIC), pawn files, and field interview reports to develop and identify suspects.
9. Utilize outside support facilities (i.e. utility checks, driver's license checks, vehicle registration checks, criminal history checks, and probation and parole checks).
10. When deemed beneficial, check with the department's Crime Analysts to determine if they have access to any information that could assist with the identification of the suspect and the suspect's possible involvement in other crimes.
11. Review social media accounts and/or other electronic data collection mediums (obtain a warrant when required).
12. Conduct the proper collection, preservation, and submission of evidence. When feasible, evidence will be promptly returned to victims/witnesses where permitted by law or the rules of evidence.
13. Examine physical evidence, review all statements, and make a determination if there is sufficient evidence to charge a person with the crime.
14. Obtain warrants for the suspect.
15. Enter the appropriate information into GCIC and validate it as required. Information will be removed when it no longer needs to be in GCIC
16. Review all results from lab exams.
17. Identify and apprehend all suspects.
18. Utilize a photographic or physical line-up in eyewitness identification in accordance with CCPD SOP OPS-060.
19. When feasible, transportation may be provided to victims/witnesses for line-ups, interviews, and other required appearances.
20. If a suspect is established, attempt to secure a documented confession through a thorough interview and also determine the existence and identity of any co-defendants.
21. If an accomplice or co-defendant is developed, proceed with other investigative steps outlined in this procedure regarding this subject(s).
22. Determine if the suspect's vehicle or other property is subject to forfeiture under Georgia law and, if so, seize the vehicle or property initiate condemnation procedures in accordance with CCPD Policy ADM-021 Asset Forfeitures.

23. Notify the proper law enforcement agency if a suspect indicates involvement in other jurisdictions.
24. Conduct background investigations on suspect(s) via criminal records checks, criminal history files, and other established sources.
25. Determine if the suspect(s) is involved in other crimes.
26. Determine if the suspect(s) can be utilized as a confidential informant.
27. If necessary, use a search warrant or in approved instances, the consent to search form to legally recover items of evidentiary value or stolen property.
28. Indicate the disposition and status of any property or evidence in CCPD custody in a supplemental report.
29. Keep the victim aware of any change in the case status.
30. If information is developed that indicates the suspect is a habitual/serious offender, contact the Crime Analyst for identification as a habitual/serious offender and ensure the District Attorney's Office is made aware of this fact.
31. Criminal Investigators may make periodic appearances at precinct roll calls to exchange and solicit information regarding cases.
32. Organize, in an orderly fashion, all notes, evidence, photographs, supplements, and lab findings for court presentation, and make the prosecutor aware of all pertinent facts of the case and the criminal history background of the defendant.
33. Complete a detailed investigative report documenting all activities, including a timeline of activities associated with the case.

### **III. ADMINISTRATION**

#### **A. 24-Hour Coverage**

1. The Criminal Investigation Division (CID) will provide a list of investigators for emergencies occurring during non-duty hours.
2. Unit Supervisors will ensure the on-call list is published and furnished to the Communication Center and the Uniform Patrol Division.
3. The on-call investigator will have a phone with them to facilitate recall.
  - a. The on-call investigator will ensure that they are available to respond as soon as possible when called out. Their response time should not exceed an hour.
  - b. Employees shall not be permitted to report to work while under the influence of alcohol, illegal drugs, prescription or non-prescription drugs that impair mobility, judgment, or safe job performance (Chatham County Ordinances, Chapter 5, County Employees and Officers, 5-505 Working Conditions Section 5 c).
4. Requests for the on-call investigator will be made by the on scene supervisor to the appropriate CID supervisors.
5. The on-call investigator will respond to the following:
  - a. Homicide Investigations.

- b. Kidnappings
- c. Armed Robberies.
- d. Sexual Assaults (juvenile & adult victims).
- e. Missing Persons with unusual circumstances as per OPS-012: Missing Persons.
- f. Death investigations having suspicious circumstances or apparent suicides.
- g. At the request of the on-duty Lieutenant.

**B. Case Screening and Assignment**

1. Case screening shall be employed to apply available manpower to those investigations which have the best chance of being successful and shall be based on solvability factors, specific criteria for continuing the investigative process, available manpower, and current departmental policy.
2. Solvability factors are workable leads and shall include, but are not limited to:
  - a. Perpetrator's name(s).
  - b. Aliases or "street" names.
  - c. Vehicle description/tag information.
  - d. Physical evidence.
  - e. Seriousness of the crime.
  - f. Injury to the victim.
3. All felony crimes against persons will be assigned to an investigator for a follow-up investigation if the appropriate solvability factors exist.
4. Felony domestic violence cases will be assigned to an investigator for a follow up investigation.
5. Property crime cases (Burglary, Theft, etc.) will be assigned to a CID investigator for a follow-up investigation based upon the following guidelines:
  - a. The degree of seriousness of the incident.
  - b. The frequency of occurrence of similar crimes in the same proximity.
  - c. Estimated range of time of occurrence.
  - d. Traceable stolen articles.
  - e. Witness's report of offense (if observed).
  - f. Physical evidence.
  - g. Suspect information developed (description or name).
  - h. Vehicle description.
  - i. Property loss greater than \$1000.00.
6. Misdemeanor and juvenile property crimes will be assigned for a follow-up investigation at the discretion of the CID Supervisor.

### C. Case File Management

1. To ensure a timely and complete investigation, supervisors shall assign cases for follow-up through the SSI Records Management System to maintain a record of the following:
  - a. Case number.
  - b. Investigator assigned.
  - c. Date assigned.
  - d. Date that a follow-up report is due.
  - e. Case status:
    - (1) Open-Active - an open case. The following shall apply:
      - (a) The victim/complainant will be contacted as soon as reasonable, preferably in person, but phone contact is permissible.
      - (b) The investigative status shall be updated to "Open-Active."
      - (c) At a minimum, each subsequent report status update will be filed every ten (10) days, as long as the case is active.
    - (2) Open-Inactive – Indicates all available leads have been exhausted, but the case has not been brought to a conclusion, or the case is suspended, and investigative efforts may be resumed. Used when arrest warrants have been secured against a suspect but have not yet been served upon the suspect.
      - (a) OI- Open-Inactive.
      - (b) AW - Obtained Arrest Warrant (pending arrest).
      - (c) The investigative status shall be updated to "Open-Inactive."
    - (3) Closed The case has been resolved.
      - (a) AR- Arrest
      - (b) EC – Exceptionally Cleared.
      - (c) CS – Service.
      - (d) UF – Unfounded.
      - (e) The investigative status shall be updated to "Closed" and one of the above codes shall be appropriately applied.
  - f. Case Clearance
    - (1) The method of case clearance outlined in this directive is an internal procedure to assist in case management and will not interfere with the Uniform Crime Report methods of clearance.
    - (2) A case will be cleared by **Arrest** when at least one person is arrested and charged with the commission of the offense. Multiple arrests in one case only count as one case cleared arrest, but one arrest in multiple cases count as multiple cases cleared (for example: Two people arrested

for the same burglary equals one case cleared, but one person arrested for three separate burglaries equals three cases cleared).

- (3) A case may be **Exceptionally Cleared** if the following questions can be answered in the affirmative:
  - (a) Identified the offender.
  - (b) Gathered enough evidence to support an arrest, make a charge, and turn over the offender to the court of prosecution.
  - (c) Identified the offender's exact location so that the suspect could be taken into custody immediately.
  - (d) Encountered a circumstance outside the control of law enforcement that prohibits the agency from arresting, charging, and prosecuting the offender. Examples include but, are not limited to:
    - i. The death of the offender (e.g., suicide or justifiably killed by police or citizen),
    - ii. The victim's refusal to cooperate with the prosecution after the offender has been identified, or
    - iii. The denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense.
- (4) A case may be closed by **Service** if there is nothing of a criminal nature that needs to be investigated (i.e. natural death investigation, etc.).
- (5) A case will be cleared **Unfounded** if the investigation reveals a crime was not committed or the actual facts of the crime cause it to be reclassified as non-criminal (civil tort).

## 2. Reclassification of Reports:

- a. Upon assignment, all investigators will ensure that the narrative of the report supports the incident title.
- b. If the information on the report is correct, the investigator will follow through with their investigation.
- c. If the narrative of the report does not coincide with the titled incident, the investigator will investigate the incident and determine the correct criminal statute/title for the report.
- d. Once the investigator concludes their investigation of the incident and determines that the preliminary incident report needs to be reclassified, the investigator will include in a supplemental report in reference to the investigation and the reasons why he or she thinks the report should be reclassified.
- e. The supervisor will review the report for completeness, and notify the Records Unit and/or a Crime Analyst for reclassification.



3. Criminal Investigators conducting active investigations will maintain current documentation of activities for each case. A case file shall contain copies of the following:
  - a. Initial (preliminary) and supplemental reports, whether prepared by uniformed officers or investigators.
  - b. Recorded audio and video statements and interviews. Electronic files shall be uploaded to Evidence.com as part of the case file.
  - c. Photographs, crime scene sketches, and electronic files collected by the Crime Scene Unit shall be electronically uploaded to the case file on Evidence.com.
  - d. Results of tests pertaining to physical evidence.
  - e. Any other reports or records needed for investigative purposes.
4. Case files for active cases shall be maintained by the lead investigator and reviewed every ten (10) days by the investigator's supervisor and will be accessible to other investigators and supervisors.
  - a. Files involving active investigations are not accessible to the public.
  - b. When a case file is worked to completion, the entire case file shall be presented to the supervisor sergeant for initial approval.
5. When a case file is completed, it will be given to the supervisor for their approval, regardless of status. Upon approval, the supervisor will forward the case file to the Chain of Command for final approval.
  - a. The file will be reviewed for accuracy, completeness, and legality. Upon approval, the file will be initialed off on by the Chain of Command and forwarded to the CID CRO/Case Manager Technician for secure storage.
6. The CID CRO/Case Manager Technician is responsible for the handling, processing, and storing of completed case files.
  - a. All completed case files will be maintained in the office of the CID CRO/Case Manager Technician.
  - b. The CID CRO/Case Manager Technician is responsible for creating an electronic case file on Evidence.com and ensuring that all case files submitted are properly scanned and uploaded to the Evidence.com system.
  - c. The CID CRO/Case Manager Technician will be responsible for complying with Georgia's Local Government Record Retentions Schedules pertaining to criminal case files (in either format, paper, or electronic).  
[https://www.georgiaarchives.org/records/local\\_government/](https://www.georgiaarchives.org/records/local_government/)
7. When it is necessary for a case file to be removed from the CID CRO/Case Manager Technician's Office, the following will occur.
  - a. During normal duty hours, 0800 to 1630 hours, Monday through Friday, the requesting investigator will contact the CID CRO/Case Manager Technician to retrieve the case file.

- b. After normal duty hours or when the CRO/Case Manager Technician is unavailable, the ranking investigative supervisor is authorized to access the CID CRO/Case Manager Technician's Office to retrieve the case file.
- c. The case file will be retrieved and furnished to the requesting investigator, who will sign a log indicating that they received the case file.
- d. It will be the responsibility of the receiving investigator to return the case file to the CID CRO/Case Manager Technician.
- e. A file will be established for the purpose of maintaining a signature log of signed-out cases. A monthly audit of case files signed out will be conducted by the CID Chain of Command to ensure the integrity of the file.
- f. When a file is removed for court purposes, the disposition will be entered on the case file folder, as well as brought to the attention of the CID CRO/Case Manager Technician.
- g. While a case file is signed out by an investigator, nothing will be removed from the case file unless directed to do so by the CID Commander, District Attorney, or other approved designee.

#### **IV. OPERATIONS**

##### **A. Interviews:**

- 1. All investigative personnel will conduct themselves in a manner as to not intentionally cause anyone being interviewed or interrogated into giving an involuntary statement of confession.
- 2. Investigative personnel will not deprive persons to the right of counsel nor contribute to any pretrial publicity that would tend to prejudice a jury.
- 3. Prior to a custodial interview, the individual will be advised of their Constitutional rights warnings.
- 4. After the warning, the individual may waive his/her rights or refuse same. The rights form will be initialed and signed by the suspect indicating his or her choice.
- 5. If a suspect requests legal counsel, the investigator will stop all attempts at an interview until their legal counsel (Lawyer) is present.
- 6. Although not always possible, admissions or confessions should be reduced to writing. Written confession will be read and signed by the person making the confession.
- 7. Whenever possible, interviews will be conducted in the Interview Room or audio recorded when in the field.
- 8. The interviewing of persons speaking languages other than English will be videotaped in its entirety when feasible.

##### **B. Interview Safety**

- 1. Officers and investigators will secure their weapons in an appropriate manner prior to commencing an interview and will not take weapons into the interview rooms. Suspects will be Terry Frisked for weapons prior to entering the interview room.
- 2. No more than two investigators will be present during an interview.

3. Another investigator will monitor the interview through the video surveillance system as a coach to the interviewer. He or she will also monitor the safety of officers in the room and summon help if needed. Officers may take their portable radio into the interview in order to call for help if needed.
4. Activation of video and audio recording equipment will be the responsibility of the lead investigator conducting the interview.
5. Suspects or potential suspects will be kept under direct supervision and will not be left alone while in the interview room.
6. During interviews, the officers will provide individuals with water and access to restrooms if requested. At no time will a suspect or potential suspect be allowed to enter the restroom unescorted.
7. The only items allowed in the interview room are the necessary documents needed and a writing instrument as well as a recording device.
8. Any investigator or officer who feels uncomfortable with the arrangements concerning the interview should express them to the CID supervisor prior to the commencement of the interview.

C. Background Investigations

1. Criminal investigations frequently involve background investigations of persons, particularly as they relate to white collar crime, organized crime, and vice activities.
2. The CCPD will conduct background investigations of persons only in correlation with an ongoing criminal investigation.
3. This Directive does not apply to background investigations in the selection process.
4. Various sources of information are available in conducting a background investigation. Some potential sources include, but are not limited to:
  - a. Financial institutions.
  - b. Business associates.
  - c. Former employers.
  - d. Informants.
  - e. Utility companies.
  - f. Public records.
  - g. Social Media
  - h. Intelligence reports.
  - i. Criminal history.
  - j. Other law enforcement agencies.
  - k. Pawn shops.
  - l. Neighbors.

- m. Family / Relatives.
  - n. Credit Bureau.
  - o. Schools and/or colleges
5. At the conclusion of the background investigation, the investigating officer shall complete a synopsis of the findings to be placed in the investigative file along with the supporting documentation.

D. Surveillance

1. The CID will be responsible for coordinating and planning surveillance operations that are long term, labor intensive, and require investigative funds.
2. Guidelines for planning operations include:
  - a. Crimes and victims will be analyzed to determine the nature and scope of personnel and equipment, and activities required to safely and effectively conduct the operation.
  - b. Probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information which will affect the manner of surveillance and potential prosecution will be identified and analyzed.
  - c. Officers involved in the surveillance operation will be familiarized with the neighborhood or suspect(s) area.
  - d. Operational procedures will be determined for observation, arrests, and "tails" to ensure the continuity between the planning and the conduct of the surveillance operation.
  - e. Required expense funds will be afforded to officers in accordance with Section V, Subsection C (Investigative Funds) within this policy.
  - f. Means for routine and emergency communication will be established.
  - g. Equipment and/or vehicles appropriate for the operation will be provided.
  - h. Officers involved in the operation are to be relieved periodically so surveillance may continue over an extended period of time, if necessary.
3. Officers will complete a supplemental report at the end of their shift detailing the observations that were made and submit the report to the case investigator to be filed in the case file.

E. Investigative Task Force

1. An investigative task force may be established when normal resources are unable to cope with the problem.

2. The decision to establish an investigative task force must be approved by the Chief of Police or designee.
3. Once the decision to form a task force has been made, a Task Force Commander will be appointed. The Task Force Commander will be of the rank of Lieutenant or higher, depending on the scope of the investigation, and will be responsible for establishing accountability for all facets of the operation, including identifying resources and periodically briefing the Chief of Police or his designee on the progress of the task force.
4. An after-action report detailing expenditures, man-hours used, and arrests made as a result of the operation will be completed and forwarded to the Chief of Police or his designee.

F. Truth Verification Devices

1. The use of truth verification devices such as the Polygraph can be useful as investigative aids. Due to the complexity of the examination process, these types of interviews/examinations shall only be conducted by qualified examiners whose training in the use of such devices is documented.
2. A CID Unit Supervisor shall approve the use of truth verification devices for criminal investigations.
3. The following criteria must be met before seeking approval to use truth verification device examinations:
  - a. The investigation is as complete as circumstances reasonably permit.
  - b. The examination subject is believed to have knowledge of or is involved in the matter under investigation.
  - c. The examination subject has been interviewed by detectives.
4. The following is required of polygraph examiners who administer polygraph examinations:
  - a. Successful graduation from a polygraph school approved by the Georgia Secretary of State.
  - b. Satisfy the requirements of the Georgia Secretary of State.
  - c. Attend retraining seminars/courses on a reoccurring basis to maintain professional proficiency.
5. The following information shall be provided to the truth verification device examiner prior to administering an examination:
  - a. All reports, statements, physical evidence, etc. relating to the matter under investigation.

- b. The existence of any prior truth verification device examinations pertaining to the investigation, including the reported results.
  - c. A waiver for minors signed by a parent or guardian giving Parental Consent for a Polygraph Examination.
  - d. Any mental or physical health conditions that the subject to be examined may have.
  - e. Security provisions to prevent escape by examination subjects who are in custody.
- 6. The truth verification device examiner shall make the ultimate determination on the suitability of a subject for an examination.
- 7. Truth verification device examinations shall not be administered to subjects with the following conditions:
  - a. A physical condition that could be endangered by the administering of the detection-of-deception device examination unless a release is obtained from the subject's medical doctor.
  - b. Obvious fatigue.
  - c. Obvious intoxication.
  - d. Professed mental condition unless examined by a medical doctor. This doctor shall determine the subject's suitability in a written report prior to administering a truth verification device examination.
- 8. Polygraph examinations shall be administered using accepted question techniques, as recognized by the polygraph profession.
- 9. Accepted polygraph examination question techniques are relevant/irrelevant, peak of tension, modified general question test, and zone of comparison.
  - a. The subject for examination shall sign a polygraph examination consent form prior to submitting to a polygraph examination.
  - b. Subjects for examination who are possibly under arrest/in custody shall be advised of their right to counsel and their right to remain silent prior to being administered a polygraph examination.
- 10. Truth verification device examinations may be administered to substantiate information furnished by citizens and informants. The use of truth verification device examinations shall not replace or be used as an expedient substitute for an investigation by conventional methods.
- 11. Truth verification device examination results shall only be released to those persons having a lawful interest in the same, which include, but is not limited to, Criminal

Investigators, District Attorneys, Assistant District Attorneys, and Investigators for the District Attorney, Defense Attorneys upon subpoena, and Judges.

## V. INFORMANTS

### A. Informants

1. A **Confidential Informant (CI)** is an individual who is providing information and investigative leads to a CCPD officer for the first time or who has provided information in the past which did not turn out to be totally accurate.
  - a. A confidential informant may or may not receive financial compensation for the information provided.
2. A **Confidential Reliable Informant (CRI)** is an informant who has provided accurate information in the past which led to the successful completion of an investigation.
  - a. In order to qualify an informant as a CRI and to use information provided by the CRI as supporting probable cause for a search warrant, the CRI and past information provided must be documented .
  - b. CRIs are informants who are used for information on a regular basis and are financially compensated for their information.
3. Informants providing information to police personnel (excluding citizens providing information as witnesses and who would be subject to testify in criminal proceedings) will be documented in an informant file assembled by the controlling officer and consisting of:
  - a. Completed Informant Checklist (CCPD Form 1028).
  - b. Completed Personal History Sheet (CCPD Form 1029).
  - c. Three current photographs of the informant.
  - d. Completed Fingerprint cards.
  - e. Criminal History, including NCIC.
  - f. Completed Informant Agreement and Advisory Form (CCPD Form 1030).
  - g. Documentation of all payments made to the informant (CCPD Form 1031).
  - h. The case number of any case(s) cleared through information furnished to the controlling officer by the informant.
4. After completion of informant documentation, the controlling officer will forward the informant file to their immediate supervisor for approval. Upon approval, the file will be forwarded to the CID Assistant Division Commander or the Informant Files/Funds Custodian, who will assign an Informant Code Number to the file and record the number in the Master File Ledger.
5. The Informant Master File Ledger will be maintained by the Informant Files/Funds Custodian. The Informant Files/Funds Custodian will be a Sergeant or a Commissioned Officer who will be responsible for the security of the Master File Ledger, as well as the Informant Files. Only the Division Commander, Assistant

Division Commander, and the Informant File/Funds Custodian will have access to the Informant Files, which are maintained in a locked file cabinet in a secured area.

6. For their protection, informants will only be identified in CCPD investigative reports by code number.
7. The Master File Ledger will contain the following information on all informants:
  - a. Informant Control Number (e.g., CCPD 04-001).
  - b. The controlling officer's name.
  - c. A record of payments made to the informant with the date, the case number, and the amount.
  - d. The dates, times, and signature of the controlling officer whenever the informant's file was viewed or removed from the file for any reason.

**B. Utilizing Informants**

1. The following guidelines concerning the use of informants will be observed by all CCPD personnel.
2. The same criteria apply to both juvenile and adult informants. However, in accordance with Georgia Law 16-11-66, no person under the age of 18 will be recruited as a Confidential Informant without the knowledge and written consent of the juvenile's parent or legal guardian and the knowledge and approval of the CID Commander or his designee. The use of a juvenile as a Confidential Informant is discouraged except under the most extreme circumstances where other investigative means are unavailable.
3. Except in emergency situations, a confidential informant shall not be used in any capacity until such time as they have been properly documented.
4. Whenever practical, controlling officers will not meet with informants alone unless they have approval from their supervisor. In those cases where a supervisor allows the controlling officer to meet alone with an informant, a backup officer will be located in close proximity to the controlling officer during the meeting, and the controlling officer will carry a concealed, operable recording device to record the conversation. Juvenile Informants will be met by no less than two officers.
5. When investigators meet with an informant of the opposite sex, at least two investigators shall attend the meeting. In addition, investigators dealing with informants that exhibit abnormal sexual preferences shall follow the same procedure.
6. Contacts with confidential informants will be for official purposes. No relationship will be developed, which may be construed as "social" in nature.
7. Confidential informants will not be a party to any information concerning investigations conducted by this or any other Department and will only be party to that information/investigation which directly concerns them.
8. When using informants who are on probation or parole, it will be the responsibility of the controlling officer to contact the agency and request permission from the informant's parole or probation officer prior to utilizing a parolee or probationer as an informant. If a prior request may jeopardize the sensitivity of the intended



operation, the CID Commander may approve that the probation or parole officer not be contacted.

9. When utilizing an informant who has pending charges or is awaiting sentencing, the District Attorney will be contacted prior to utilization. CCPD officers will not offer leniency, or a reduction of charges in return for information. Any offers may be made by the District Attorney's Office.

C. Investigative Funds

1. The Informant Funds Custodian, or a designated Sergeant, will be responsible for dispensing funds for the payment of informants. In the absence of the Informant Files/Funds Custodian, the Assistant Informant Files/Funds Custodian designated by the Criminal Investigation Division Commander will assume the responsibility.
2. For the purpose of fiscal accountability, the Informant Files/Funds Custodian will maintain records of all payments made from informant funds to informants.
3. Classification of Informant payments:
  - a. **P/S - Payment of Services:** Payment of P/S expenses will be approved by the Lieutenant or Supervisor provided they are reasonable and under \$200. The guidelines for expenditures for informants would suffice for authorization. This category includes:
    - (1) Travel or transportation of an officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft, boat, or similar effects to create or establish the appearance of affluence.
    - (2) Meals, beverages, entertainment, and similar expenses for undercover purposes within reasonable limits.
  - b. **P/E - Payment for Evidence:** This category is for the purchase of evidence and/or contraband such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.
  - c. **P/I - Purchase of Specific Information:** This category includes the payment of monies to an informant for specific information.
  - d. All other informant expenses will be classified under P/S and charged accordingly.
4. Accounting procedures for P/S, P/E, or P/I payments:
  - a. An Informant Payment Sheet (IPS) will be signed by the informant and the witnessing officer upon receipt of payment. This IPS will be placed in the informant's file by the controlling officer.
  - b. The amount of payment will be determined by the controlling officer subject to the approval of their supervisor and the Division Commander.
    - (1) The Supervisor (Sergeant or Lieutenant) is authorized to spend up to \$200.
    - (2) The Division Commander and assistant Division Commander are authorized to spend up to \$500.

- (3) The Chief of Police or designee must approve all informant payments in excess of \$500.00.
5. Generally, only informants who have been documented by CCPD and assigned a code number will receive payments from CCPD funds. Informants who have not been documented may be reimbursed for information with the approval of the Informant Files/Funds Custodian, provided the informant is not to be used on a regular basis.
6. The Informant Files/Funds Custodian will log each transaction on a Custodian's Activity Ledger.
7. Investigative funds will be audited annually by the County's Management and Auditing Department or upon request of the Chief of Police.

## **VI. COLD CASE INVESTIGATIONS**

- A. From time to time, inactive cases may be reexamined to determine if there is any new information that may further the investigation. The primary investigator shall locate and review the case file completely and ensure that all known investigative leads were properly investigated.
- B. Locate and review all evidence. Ensure that the evidence is still maintained by the department and that all evidence that may be compared to database evidence has been submitted to the appropriate lab(s).
- C. Confer with the victim's family for any new information and review previously obtained information.
- D. Locate any previously identified persons of interest or suspects and review their history since the original investigation.
- E. Evaluate the physical evidence in order to determine if scientific evaluation methods would be available to preserve or enhance its usefulness.
- F. Utilize all investigative techniques including; social media, Internet resources, other local, state, federal law enforcement agencies, and publishing requests for information with the media.
- G. Conduct a peer review of the case facts and investigative actions with other subject matter experts including supervisors within Criminal Investigation Division and Forensics Units.
- H. The primary investigator shall look for any gaps of information within the case, including people mentioned and statements that do not have a corresponding interview report in the case file, undocumented investigative actions such as search warrants without documentation of service, etc.
- I. After re-interviewing significant witnesses and working all viable leads, if no suspect can be identified, the assigned investigator will write a summary report, documenting the follow-up investigation and placing the status of the cases as "Closed by Administration Action" until further leads are established.
- J. If the assigned investigator is able to obtain enough evidence to establish probable cause for an arrest, the case will first be presented to The Chatham County District Attorney's Office for review.

- K. A case may be closed by Exceptional Clearance as defined in CCPD policy OPS-001 Criminal Investigations.
- L. When a cold case investigation is requested in writing, the response and process shall be done in accordance with O.C.G.A. 17-21-3 (also known as the Coleman-Baker Act.) [CCPD Form #260](#) will be used for the written request/application. A cold case means a homicide that was committed more than three years prior to the written application. At a minimum, the following will occur:
1. The Chief of Police or his/her designee will provide written notification of receipt of the request to review a cold case homicide case as soon as reasonably possible.
  2. The Chief of Police or his/her designee will review the case to determine if a full reinvestigation would result in the identification of probative investigative leads or a likely perpetrator.
    - a. The review must;
      - (1) Analyze what investigative procedures may have been missed in the initial investigation;
      - (2) Assess whether witnesses should be interviewed or re-interviewed;
      - (3) Examine physical evidence to see if all appropriate forensic testing and analysis was performed in the first instance or if additional testing might produce information relevant to the investigation; and
      - (4) Include an update of the case file using the most current investigative standards as of the date of the review to the extent it would help develop probative leads.
    - b. If a request does not meet the above criteria, then the agency must provide the requestor with a letter stating that review is not necessary.
    - c. The agency has six months from receipt of the written request to complete its case file review and conclude whether or not a full reinvestigation is warranted.
      - (1) The agency can extend the time limit once for a maximum of six months if the agency finds that it would be unfeasible to comply with the original time limit. A notice and an explanation for the extension will be sent to the person who filed the written request/application for review
  3. If the review concludes that a full reinvestigation would result in additional, previously unidentified probative leads or a likely perpetrator, the investigation cannot be solely conducted by a person who previously investigated the case.
    - a. Only one full reinvestigation can be undertaken at one time with respect to the same victim.
  4. A full reinvestigation shall include reviewing all evidence and analyzing those items that may contain forensic value collected in the cold case murder at issue for the purpose of developing probative leads or a likely perpetrator.
  5. If more than one agency conducted the initial investigation of a cold case murder, each agency shall coordinate their case file review or full reinvestigation such that there is only one joint case file review or full reinvestigation occurring at a time.

6. If a full reinvestigation is completed and a likely perpetrator is not identified, an additional investigation will not occur for a period of five years from the conclusion of the reinvestigation unless there is newly discovered material evidence.
7. The below information will be forwarded by the Chief of Police or his/her designee to the Carl Vinson Institute of Government. The Institute will establish and maintain a case tracking system and searchable public website.

## **VII. IDENTITY THEFT**

- A. CCPD will complete a Preliminary Report on all reports of identity theft cases regardless of the jurisdiction in which the crime is alleged to have occurred.
- B. Officers investigating identity theft crimes will provide a CRN pamphlet to the victim.
- C. Additionally, officers and investigators will encourage and assist victims to contact financial intuitions immediately to restrict activity on their accounts.
- D. Investigators will provide the best possible assistance to victims of identity theft while investigating the crime.
  1. Information will be shared with the victim about possible ways to restore their credit and re-establish their identity.
  2. Investigators will cooperate with financial institutions and other law enforcement agencies in the investigation of identity theft crimes.
- E. If the crime is determined to have occurred outside of the CCPD jurisdiction, investigators will:
  1. Notify the victim that the investigation will be referred to the appropriate agency.
  2. With the victim's approval, forward all case information to the agency with jurisdiction over the case.

## **VIII. EXCULPATORY EVIDENCE**

- A. It is the policy of this agency to require that law enforcement personnel provide all potentially exculpatory evidence to prosecutors as soon as possible.
  1. CCPD will ensure that agency personnel is in compliance with the landmark United States Supreme Court decisions of *Brady v Maryland* (1963) and *Giglio v United States* (1972), *Kyles v. Whitley* (1995), and other similar cases.
- B. All requests forwarded to the Chatham County Police Department by the District Attorney's Office for review of officers' files related to a specific case to determine if an officer has a disciplinary history that would impact the officer's credibility as a witness will be directed to the Office of Professional Standards.
- C. Definitions
  1. Duty to Disclose: The landmark decision of *Brady v Maryland* (1963) places an affirmative constitutional duty on a prosecutor to disclose exculpatory evidence to a defendant. This duty has been extended to police agencies through case law, requiring law enforcement agencies to notify the prosecutor of any potentially exculpatory information whether the defendant requests it or not.

2. Exculpatory Evidence / Brady Material: This is evidence that is favorable to the defendant in a criminal trial that exonerates or tends to exonerate the defendant of guilt, including evidence that may impact the credibility of a witness.

D. Requirements:

1. Officers are required to document all investigative activity involved in an investigation, including exculpatory information.
2. All official reports involving an investigation will be submitted to the prosecuting authority prior to the actual prosecution of the case. The prosecutor will determine what information contained in the case file will be provided to the defense counsel.
3. The Training Unit will ensure that all sworn personnel are familiar with the requirements of this policy and will stress the importance of credibility as an essential requirement of being able to function as a police officer.

E. Agency Post-Conviction Notification Requirements:

1. Once the agency is notified of or discovers post-conviction exculpatory evidence, the Chatham County Police Department Bureau Commander will immediately assign the post-conviction investigation to any Detective or Officer, not involved in the original investigation or arrest of the person(s) involved.
2. The Detective or Officer assigned to investigate the post-conviction exculpatory evidence will operate under the original case number and will conduct a fair and impartial investigation, and all findings will be documented on the required reporting forms.
3. Once the post-conviction investigation is complete, the investigating Detective or Officer will report his or her findings to their Commander for final review and recommendation. All approved findings shall be forwarded to the appropriate prosecuting attorney for judicial consideration

## **IX. LInX**

- A. The Law Enforcement Information Exchange (LInX) - is an advanced information-sharing system and analytical data warehouse containing information from participating federal, state, and local law enforcement agencies located within regional LInX systems.

1. LInX is a joint initiative sponsored by the Naval Criminal Investigative Service (NCIS) of the U.S. Department of the Navy and various regional and local law enforcement agencies throughout the nation.

B. Definitions:

1. *Agency Administrator(s)*: Individual(s) responsible for being the authorized department point of contact for LInX. Agency Administrator(S) will be responsible for conducting audits of the systems; setting up new accounts; deactivating accounts; ensuring authorized users have received the proper training; and any other issues that may arise involving LInX.
2. *Approved User*: Individual(s) approved through their chain of command to have access to LInX and have received the initial required training through LInX. Initial LInX training will be arranged by Agency Administrator(s) and will be administered by representatives of LInX via a mandatory webinar which discusses

the rules and procedures users must follow as well as a tutorial on how to utilize the system.

3. *Audit:* A monthly review conducted by the CCPD administrators for LInX. The audit will include all user's activity, such as user log-ins and log-outs, each user's activity in detail, what commands were issued to the system, and what records or files were accessed. The audit will include a summary of how the audit was completed, findings of the audit to include any identified policy violations, need for revisions, or actions taken to address any violations or revisions. Any violations found within the audit will be turned over to The Office of Professional Standards.
- C. The purpose of this section is to ensure that all users and administrators for LInX abide by the specific procedures for access, use, distribution of information, retention, and associated data related to LInX.
- D. It is the policy of the Chatham County Police Department to use LInX only in conjunction with active criminal investigations. LInX is an investigative tool, and any information located within the system will not be used solely as the basis for probable cause. In addition to the Chatham County Police Department's policy regarding the usage of LInX, all users will abide by the policies and user guidelines required by LInX.
- E. Access & Security:
  1. Approved Users & Administrators will have access to sensitive and confidential information. Albeit they have access to and manage such information, that information can be disseminated to supervisors, command staff, and other investigators.
  2. Information gathered from LInX cannot be added to reports or used in case files. If the information found within LInX is needed for reports and/or case files, that information must be requested from the originating agency that submitted the data to LInX.
- F. Penalties for misuse of LInX
  1. Any Chatham County Police Department employee who violates the provisions of this policy will be subject to disciplinary action and may result in the termination of access to LInX.

## **X. DETECTIVE SELECTION AND TRAINING GUIDELINES**

- A. The following procedures shall establish guidelines for the selection of criminal investigators seeking assignment in the Criminal Investigations Division (CID).
  1. Upon the decision by Command Staff to fill a vacant position(s) in CID, a Special Assignment Announcement will be published listing the position, division, application period, job summary duties, and minimum qualifications.
  2. Potential applicants must receive a positive recommendation from their current Unit Commander.
  3. Applicants who receive Supervisor recommendation and submit an updated professional resume, POST training transcript, and cover letter shall appear before a structured interview board consisting of two (2) Supervisors and a detective.

4. The structured interview board will consist of a fixed questionnaire administered equally to all applicants. The questionnaire will be prepared by the CID Commander or designee.
  5. Candidates will be recommended or not recommended by the board.
  6. The resulting list of candidates shall remain on the recommended/not recommended list until such time CID Command Staff decides to refresh the list.
    - a. Those candidates that were recommended can decide to re-interview for CID or remain on the list. Those candidates that were not recommended must re-interview if they so desire.
- B. Upon assignment to CID, new detectives will be enrolled in the Detective Training Program. The purpose of this training is to continue the growth and education of newly appointed detectives with a focus on ensuring competency in their investigative roles within the unit. The Detective Training Program shall be administered by experienced detectives who are GA POST certified Field Training Officers. Supervisory oversight of the Detective Training Program shall rest with the Sergeants assigned to CID.
1. Successful completion of the Detective Training Program shall be required for permanent assignment to CID as a criminal investigator.
  2. Detective Training Recruits (DTR) who fail to adequately complete the Detective Training Program will be evaluated for remedial training status for a period to be decided by both Detective Training Officers (DTO) and Sergeants.
  3. DTR's entering remedial training status shall be re-evaluated by CID Supervisors.
  4. Failure to adequately complete the assigned remedial training period will result in the reassignment to Uniform Patrol Division.

**BY ORDER OF:**

*Electronically Signed in PowerDMS on 04/25/24*

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**Jeffrey M. Hadley**  
**Chief of Police**