



CONCORD POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

CRIMINAL INVESTIGATIONS

GENERAL ORDER: 05.03

CREATED: July 23, 2021

ISSUE DATE: July 23, 2021

CALEA STANDARD: 42.1.3, 42.2.1

EFFECTIVE DATE: July 30, 2021

ACTION: Creates general order.

05.03.0 **PURPOSE**

The purpose of this general order is to establish procedures to ensure the effective and efficient investigation of criminal activity and related incidents.

05.03.1 **POLICY**

It shall be the policy of the Concord Police Department to conduct investigations into complaints of criminal activity to the maximum extent feasible, in order to resolve complaints and present offenders for prosecution as directed by other elements of the criminal justice system. The preliminary inquiry into complaints of criminal activity shall generally determine how and what decisions shall be made concerning the continuation or termination of an investigation. All officers assigned to perform field duties, including both uniformed and investigative units, shall have a general responsibility for conducting criminal investigations in accordance with prevailing law and the provisions of this general order.

05.03.2 **DEFINITIONS**

A. FOLLOW-UP INVESTIGATION

An extension of a preliminary investigation in which the purpose is to gain additional information in order to close a case, arrest an offender, and/or recover stolen property.

B. PRELIMINARY INVESTIGATION

The activity that begins when an officer arrives at the scene of an incident, and continues until such time as the investigation is transferred to another officer for follow-up, or until the incident is closed if no follow-up is needed.

05.03.3 **PRELIMINARY INVESTIGATIONS**

A. The first officer on the scene, unless otherwise directed by a supervisor, shall be responsible for conducting the preliminary investigation and completing the initial report. The first officer shall:

1. Observe all conditions, events, and remarks;
2. Locate and identify witnesses;

3. Maintain and protect the crime scene and evidence;
4. Interview and/or obtain written statements from the complainant, victim(s), witnesses. Interviews shall be conducted as outlined in 10.06 Interviews/Interview Rooms.
5. Interview and/or obtain written statements from the suspect if such statements can be obtained without jeopardizing the outcome of the investigation. Prior to mirandizing any suspect, the officer shall confirm that the investigation is not being assigned to the Criminal Investigations Division. Interviews shall be conducted as outlined in General Order 10.06 Interviews/Interview Rooms.
6. Arrange for the collection of evidence;
7. Effect an arrest, if possible;
8. Report the incident fully and accurately.

05.03.4 **FOLLOW-UP INVESTIGATIONS**

- A. The following procedures are provided as a guide for conducting follow-up investigations, and are to be used only in the event they are found to be necessary. The officer shall:
 1. Review and analyze all previous reports prepared for the preliminary investigation;
 2. Conduct additional interviews and interrogations;
 3. Review any pertinent departmental records;
 4. Seek additional information from patrol officers, informants, etc.;
 5. Review laboratory results;
 6. Arrange for dissemination of information, as necessary;
 7. Plan, organize, and conduct searches, as needed;
 8. Identify and apprehend suspects;
 9. Collect any physical evidence available;
 10. Determine involvement of suspects in other crimes;
 11. Check suspect's criminal histories;
 12. Prepare for court presentation;
 13. Assist in prosecution;
 14. Any other legal methods that may lead to an arrest or case closure.

05.03.5 **CASE ASSIGNMENT**

- A. The department's criminal investigation function may be performed by any officer. Patrol officers shall be assigned to conduct preliminary and follow up investigations of reported incidents, except those instances where Criminal Investigation Division investigators would be more effective.
- B. When a case is assigned for follow up investigation, a record shall be maintained that includes, but is not limited to, the name of the officer assigned, date assigned, case number and current status of the case.

05.03.6 **CASE DESIGNATION**

Each investigation is assigned a status in order to assist with case management and control. Designations shall be:

- A. CLEARED BY ARREST/CLEARED BY ARREST OTHER AGENCY

Indicates one or more offenders have been arrested and/or charged by an officer.

- B. CLOSED/ACCIDENTAL DEATH

Indicates the department has closed the investigation due to the determination that the victim's death was caused by an accident. The incident is no longer being investigated.

- C. CLOSED/LEADS EXHAUSTED

Indicates the department has closed the investigation due to the lack of credible information or suspects. The incident is no longer being investigated.

- D. CLOSED/NATURAL DEATH

Indicates the department has closed the investigation due to the determination that the victim's death was caused by natural circumstances. The incident is no longer being investigated.

- E. CLOSED/SUICIDE

Indicates the department has closed the investigation due to the determination that the victim's death was caused by means of suicide. The incident is no longer being investigated.

- F. EXCEPTIONALLY CLEARED

Indicates the investigation has been concluded satisfactorily and one of the following case dispositions must be indicated:

- 1. DEATH OF OFFENDER

Indicates that it has been determined who the offender is in a case, but the offender is deceased.

2. IN CUSTODY OF OTHER JURISDICTION

Indicates that another department has arrested or charged one or more offenders in a Concord Police Department case.

3. JUVENILE/NO CUSTODY

Indicates the contact with a juvenile without taking him/her into custody, but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense.

4. PROSECUTION DECLINED

Indicates that the offender has been identified, but that prosecution has been declined by someone in the criminal justice process. (eg. District Attorney)

5. VICTIM REFUSED TO COOPERATE

Indicates that the offender has been identified, but the prosecution is unlikely because the victim is uncooperative or unwilling to prosecute.

G. INACTIVE

Indicates the department is not actively following up on leads unless additional information becomes available. The case is not considered to be closed. This designation is typically used when awaiting laboratory results or the recovery of property.

H. JUVENILE ARREST/NO CUSTODY

Indicates one or more juvenile offenders have been arrested and/or charged by an officer, but not in custody.

I. LOCATED MISSING PERSON

Indicates a missing person has been located.

J. OPEN

Indicates the department is actively following up on leads or continuing the investigation.

K. TRANSFERRED TO ANOTHER AGENCY

Indicates that it has been determined that a crime reported to the department occurred in another jurisdiction.

L. UNFOUNDED

Indicates the department has determined that no crime has been committed.

05.03.7 RECORDS MANAGEMENT SYSTEM

- A. The status of investigations shall be controlled by the use of the department's Records Management System (RMS), which is maintained by the Customer Service supervisor and operated by authorized personnel in accordance with department directives. The following information is available through the system;
1. Officer assigned;
 2. Case number;
 3. Victim's name;
 4. Date reported and date assigned;
 5. Case status;
 6. Report date.
- B. Investigative files shall be maintained by the primary investigating officer on all active cases. The file shall contain a copy of the preliminary incident report, statements from victim(s)/witness(es)/suspect(s), results of examinations of physical evidence, and other reports or records pertinent to the investigation.
- C. Investigative files shall be made accessible to the assigned officer's supervisor. Officers have 24-hour access to case information using RMS.
- D. Investigative files shall be consolidated into RMS or CID records system (as applicable) when the case status is designated inactive or closed.
- E. The investigative officer shall purge the file of any information that is duplicated in RMS or within a digital evidence management system.



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