CONCORD POLICE DEPARTMENT
GENERAL ORDER

FELONY CASE REPORTING

GENERAL ORDER: 08.01	**CREATED:** December 1, 2000	**ISSUE DATE:** November 4, 2025
CALEA STANDARDS: 42.1.6 **NCLEA STANDARDS:**		**EFFECTIVE DATE:** November 4, 2025
ACTION: Amends general order dated September 9, 2025.		

08.01.0 PURPOSE

The purpose of this general order is to establish a process concerning the preparation and presentation of felony cases to the district attorney's office for prosecution, in conjunction with NC GS 15A-501(6).

08.01.1 POLICY

It shall be the policy of the Concord Police Department that all felony cases, in which an arrest has been made, shall result in the compilation of a complete felony case report. Officers shall preserve and make available to the district attorney's office, on a timely basis, all material and information acquired in the course of felony investigations. All officers shall fulfill their continuing affirmative duty to make this information available to the district attorney's office throughout the investigation and prosecution of the case.

08.01.2 DEFINITIONS

A. CASE OFFICER

The case officer is identified as the assigned officer/detective in the records management system. The case officer is responsible for ensuring the law enforcement file and any other discoverable material is compiled and submitted.

B. EXCULPATORY EVIDENCE

Evidence that is favorable to the accused; is material to the guilt, innocence, or punishment of the accused; and/or may impact the credibility of a government witness, including a law enforcement officer or other agency coworker.

C. EX PARTE MOTION AND ORDER

A motion filed by the district attorney seeking an order from the court that investigative material not be released to the defendant. The basis for the district attorney's motion includes, but is not limited to: the existence of a substantial risk to any person of physical harm, intimidation, bribery, economic reprisals, or unnecessary annoyance or embarrassment.

D. LAW ENFORCEMENT FILE

Includes defendant statements, co-defendant statements, witness statements, investigating officers' notes, body camera recordings, in-car camera recordings, results of tests and examinations, or any other matter or evidence obtained during the investigation of the offenses alleged to have been committed by the defendant. Victim, witness, and suspect/defendant statements given verbally or recorded shall be reduced to writing.

08.01.3 PROCEDURE

A. PRESERVATION OF INFORMATION

1. Officers shall save and maintain all information relating to a felony case, including but not limited to: handwritten notes, emails, and correspondence.

2. Officers are prohibited from destroying any notes regarding a felony offense or case, except as outlined in General Order 09.19 Field Reporting and Records Management.

3. The case officer shall gather and preserve all information regarding the felony offense. This includes but is not limited to:

   a) Electronically recorded and/or written statements;

   b) Notes;

   c) Diagrams;

   d) 911 recordings;

   e) Photographs;

   f) Any and all video recordings;

   g) Lab results;

   h) Computer-aided dispatch reports;

   i) Incident reports;

   j) Arrest reports;

   k) Emails;

   l) Form EV – 6 Digital Forensic Examination Report (if applicable)

   m) Any other document generated as a result of the case being investigated.

4. Officers shall provide the case officer all original documents as soon as practicable and shall maintain a copy of the documents. Handwritten notes shall include the officer's name who recorded the notes, persons present, date, and time. For any Class A or B1 felony (ie. murder, rape, etc), the case officer shall be responsible for submitting all original documents, including handwritten statements, notes, etc. to the Property Control Division.

B. COMMUNICATIONS WITH DISTRICT ATTORNEY'S OFFICE

1. Felony case reports shall be submitted to the district attorney's office within 10 calendar days of the date of arrest. If an arrest of a defendant is made by another agency on warrants for arrest, the felony case report shall be prepared and submitted to the district attorney's office within 10 calendar days of the notification of the arrest to the case officer.

2. Requests for extensions for submittal of a felony case report to the district attorney's office shall be done via email. A copy of the email, from the prosecuting assistant district attorney, authorizing an extension for the deadline of the felony case report shall be retained by the case officer.

3. Requests for further or additional follow-up work by the district attorney's office shall be completed no later than 20 calendar days from the date of the request. The reviewing supervisor shall ensure all further follow-up is completed within 20 calendar days. Exceptions to this provision are lab reports and transcripts which shall be forwarded as soon as practicable and for complex cases such as sex crimes or financial crimes requiring significant auditing. Follow-up work shall be submitted to the district attorney's office via a supplemental report.

4. Officers shall schedule appointments with the prosecuting assistant district attorney for multiple or complex cases. This will allow an opportunity for the prosecuting assistant district attorney to review the case and offer feedback and suggestions for necessary case follow-up, if needed.

C. FELONY CASE REPORT FOR CLASS A-G FELONIES

1. The felony case report shall consist of a cover page, table of contents, crime scene description, and details of investigation. Reports, statements, notes, and other documents shall be included in the packet following the initial felony case report. Audio or verbal statements shall be summarized and included in the report. Body worn camera evidence shall be submitted via Evidence.com, however, critical moments of the investigation or specific events of evidentiary value shall be noted in the body of the details of investigation. (ie. "As the interview progressed, Smith admitted to possessing the firearm." [Interview video – 14:25:34] or "As I advised Smith he was under arrest for domestic assault, he proceeded to flee from the front porch of the residence." [Officer XXXXX Body Worn Camera – 09:05:15]) Each page following the table of contents shall be numbered (ie. 1 of 20, 2 of 20, 3 of 20 etc.)

2. The case officer shall complete a Certificate of Compliance with Law Enforcement Discovery Duties form (form FCS-1). In the event the case officer, or any supervisor, determines that a case shall be considered for an Ex Parte Motion and Order, the case officer shall indicate so on form FCS-1 beside the entry "If I believe a Protective Order is warranted as to any of the information contained in the investigative file, then an envelope containing additional copies of the information, and marked "Request for Protective Order" has been submitted along with the above two (2) or more copies of the investigative file(s)."

3. When a case involves an investigation that utilizes a tactical or operational plan that would jeopardize future investigations or law enforcement tactics if included in the felony case report, coworkers shall complete a Special Certification of Compliance with Law Enforcement Duties form (form FCS-2) in addition to form FCS-1 completed for all cases. The case officer shall indicate which report exists,

however, is not included in the felony case report by placing a check mark on the line next to the applicable report. **Accident injury reports, use of force reports, and pursuit reports are administrative reports conducted by supervisors and are not subject to discovery.**

4. The entire felony case report, except video recordings, shall be reduced to a portable document format (PDF), including page numbers. The PDF shall be named with the filenumber lastname,firstname of the defendant.
(i.e. 24CR123456 LastName,FirstName)

5. All video, audio, and photographic data shall be imported to Evidence.com, if possible. In the event the case involves a video recording that cannot be uploaded to Evidence.com due to media player requirements specific to a particular software, the video shall be submitted via an external storage device.

6. The case officer shall present the felony case report, in its entirety, to his/her direct supervisor for review, at least 24-hours before the summary is due to the district attorney's office. In the event that his/her immediate supervisor will not be working until after the due date to the district attorney's office, he/she shall submit the felony case report to another supervisor for review. The supervisor is responsible for reviewing the felony case report, ensuring any corrections are made by the case officer, and ensuring submittal of the felony case report by the date the case file is due to the district attorney's office.

D. FELONY CASE REPORT FOR CLASS H-I FELONIES

1. The felony case report shall consist of an abbreviated summary that can be completed in one page. Examples for review and a list of the most common H and I felonies are listed in PowerDMS under Guides. (H/I Felony Examples).

2. The case officer shall complete a Certificate of Compliance with Law Enforcement Discovery Duties form (form FCS-1).

3. The abbreviated felony case report shall be submitted to the district attorney's office no later than five calendar days from the date of the arrest and follow submittal guidelines listed in General Order 08.01.3E.

4. If applicable, Property and Evidence Voucher(s), shall be included in the felony case report.

5. Video footage shall not be submitted.

6. If the defendant pleads not guilty, the district attorney's office will contact the charging officer and request the full felony case summary.

7. The case officer shall present the felony case report, to his/her direct supervisor for review, at least 24-hours before the summary is due to the district attorney's office. In the event that his/her immediate supervisor will not be working until after the due date to the district attorney's office, he/she shall submit the felony case report to another supervisor for review. The supervisor is responsible for reviewing the felony case report, ensuring any corrections are made by the case officer, and ensuring submittal of the felony case report by the date the case file is due to the district attorney's office.

E. SUBMITTAL OF FELONY CASE REPORTS

1. Felony case reports shall be submitted to the district attorney's office by importing the felony case report PDF into the case into Evidence.com. The district attorney's office shall access the file via Axon Justice which is the district attorney's office component to receive felony case reports. The felony case report shall be added to the case in a portable document format (PDF) and include form FCS-1, the felony case report, and all other evidence related to the offense except video recordings.

2. All cases shall be assigned to the Assistant District Attorney's legal assistant, no cases should be assigned to the Assistant District Attorney. The current legal assistant assignment list can be located on PowerDMS/Documents/Guides.

3. Juvenile felony case reports shall be submitted electronically. When uploading the case summary the CR file number shall follow this format,the last two digits of the year XXJB lastname, firstname of the defendant.

4. Video recordings, audio recordings, and photographs shall be submitted to the district attorney's office via Evidence.com. The following process shall be followed for creating a case in Evidence.com:

   a. The case officer's supervisor shall create the case in Evidence.com for the incident.

   b. The supervisor shall share the Evidence.com case with the case officer.

   c. The case officer shall review the Evidence.com case and ensure all necessary videos and the felony case report PDF are included. The case officer shall use resources such as CAD reports and other videos to ensure all body worn camera recordings are included in the case. It is ultimately the case officer's responsibility for compliance with the discovery law.

   d. If any videos are missing from the Evidence.com case the supervisor will need to access the video(s) and add them to the Evidence.com case.

   e. Once the case officer has ensured that all videos and the felony case report PDF are included in the Evidence.com case, they shall inform their supervisor and provide all case summary documents for supervisor review. The felony case report shall include the CR or CRS number for the case and any co-defendants, if applicable.

   f. The supervisor shall review the case file, to include the felony case report, and rename the Evidence.com case in the following format: Filenumber lastname,firstname of the defendant If a case has multiple defendants, an Evidence.com case shall be created for each defendant and the Evidence.com case shall contain all Evidence.com videos related to the case in the following format: filenumber lastname,firstname of both defendants.

   g. Once the supervisor approves the felony case report in its entirety, the supervisor shall share the Evidence.com case with the assistant district attorney's legal assistant. The supervisor shall utilize the provided contact list to determine the correct legal assistant to share the case with, which is located in PowerDMS/Documents/Guides.

h. To share the case in Evidence.com, locate the case to be shared under cases.

Click on the hyperlink for the case. At the top of the screen choose "share entire case." Choose the bottom option "share with partner agency." Type the intended recipient's name, beginning with the last name. The recipient will auto populate. Select the intended recipient. Choose share audit trails, clips, markers, and notes by selecting the boxes. Click share.

In the event the case involves a video recording that cannot be uploaded to Evidence.com the video shall be submitted via an external storage device to the district attorney's office. Case officers shall place the an external storage device in an envelope, with form FCS-1 attached, designating the number of each type of an external storage device enclosed and listed by title on the back of the certificate.

5. Any supplemental information shall be submitted to the district attorney's office in the same manner. Each time a PDF shall be generated, complete with form FCS-1, and all new related documents to the offense.

6. All original handwritten statements, notes, diagrams, video recordings and other documents shall be placed in the envelope and turned into the Customer Service Unit for retention. The case audit log must be printed from evidence.com, the officer shall deliver a printed copy of the audit log to the Customer Service Unit with the OCA written in the top right corner.

F. EXCULPATORY EVIDENCE

Officers shall document all investigative activity involved in an investigation, including exculpatory evidence.

1. If an officer learns of potentially incriminating or exculpatory evidence after submitting a case, the officer shall prepare and submit a supplemental report documenting such evidence and notify their direct supervisor as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the District Attorney's office.

2. If the evidence is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the District/Division Commander shall review the evidence to determine the appropriate action for the evidence and determine if the District Attorney should be contacted.

3. Evidence is considered material if there is a reasonable probability that the evidence would affect the outcome of a criminal proceeding or trial. Determining whether evidence is material often requires legal or even judicial review. If an officer is unsure, the officer shall address the issue with their immediate supervisor.

4. All information pertaining to the exculpatory evidence shall be documented in the case file.

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