

	Chapter 17		Policy 1718	
	Chapter Topic	Conducting Investigations		
	Policy Subject	Coleman-Baker Act Compliance		
	Original Issued	03-19-2024	Original Effective	04-02-2024
	Version Issued	03-19-2024	Version Effective	04-02-2024
	Issuing Authority	Burt Buchtinec, Chief of Police		
	Applicability	Cold-case reevaluation requests		
	Replaces/Amends	This is the first version of this policy		

CHAPTER 17 – CONDUCTING INVESTIGATIONS

Policy 1718 - Coleman-Baker Act Compliance

1718.1. PURPOSE

1718.1.1. The Coleman-Baker Act requires all qualifying Georgia law enforcement agencies (O.C.G.A. § 17-21-2 (1), “agency” defined) to provide a method for requesting re-evaluation of cold cases and procedures for completing such requests. This directive establishes the mandated procedures.

1718.2. APPLICABILITY

1718.2.1. Coleman-Baker Act (cold-case reevaluation) requests.

1718.3. POLICY

1718.3.1. While the Emory University Police Department (EPD) has the jurisdiction to engage in the detection, investigation, or prosecution of homicides, EPD does not do so. EPD has referred all homicide investigations to agencies with appropriate resources and jurisdiction since the Department’s founding in 1975 and shall continue to do so.

1718.3.2. Designated EPD staff will refer, in writing, persons filing Coleman-Baker Act requests to the appropriate local and/or state agencies.

1718.3.3. This policy shall be made available to the public on the same webpage(s) as the Coleman-Baker Act request information.

1718.4. DEFINITIONS

1718.4.1. Coleman-Baker Act request: A formal, written request by a person designated in the Coleman-Baker Act for an agency to re-evaluate a homicide investigation.

1718.5. PROCEDURES, RULES, AND REGULATIONS

1718.5.1. Responding to Requests from Designated Persons

(O.C.G.A. § 17-21-3 (a), (f), (e)(2); CALEA-LE 1.2.1; IACLEA 2.1.5)

a. The Investigations Unit lieutenant will respond, in writing within 30 days, to Coleman-Baker Act requests. In the response, the Investigations Unit lieutenant shall include:

1. A statement that EPD does not conduct homicide investigations and has not since the Department’s founding in 1975;

2. A list of local and state agencies who may have investigated the homicide on behalf of EPD.
 3. The process to submit a complaint to and contact information for the agency's unit responsible for internal investigations involving misconduct allegations.
- b. The Investigations Unit Lieutenant responding to the request shall complete an incident report in the records management system documenting the request and referral.
 - c. The Investigations Unit Lieutenant shall notify the Carl Vinson Institute of Government of the University of Georgia about the request for inclusion in the Coleman-Baker Act case tracking system. (O.C.G.A. § 17-21-3 (k))
 - d. The EPD webmaster(s) will keep Coleman-Baker Act request information, including the legally mandated written application form and the expected response (above), on the EPD website. The Investigations Unit Lieutenant will ensure compliance with this subparagraph.

1718.5.2. Responding to Requests from Other Agencies

(O.C.G.A. § 17-21-3 (l)(1); CALEA-LE 1.2.1; IACLEA 2.1.5)

- a. The Records Coordinator shall coordinate EPD's compliance with requests from other agencies conducting Coleman-Baker Act case file reviews or full reinvestigations.

1718.5.3. Training (O.C.G.A. § 17-21-3 (j))

- a. The Department Training manager shall ensure that the following agency members receive documented duty-commensurate training on the contents of the Coleman-Baker Act and the duties delineated in this policy:
 1. The Chief of Police
 2. The Deputy Chief of Police
 3. The Investigations Unit Lieutenant
 4. The Records Coordinator

1718.6. PROHIBITIONS

- 1718.6.1. None other than those listed above.

1718.7. REFERENCES

1718.7.1. State Law

- a. O.C.G.A § 17-21-1 to 17-21-4. The Coleman-Baker Act.

1718.7.2. EPD and University Policies

- a. EU Policy 5.21 - Records Management

1718.7.3. Accreditation Standards:

- a. CALEA-LE v6.19 Basic: 1.2.1
- b. IACLEA: 2.1.5