



# Indianapolis Metropolitan Police Department

GENERAL ORDER

5.9

## INVESTIGATIVE RESPONSIBILITY

### POLICY

The purpose of this directive is to outline the investigative responsibility and crime scene authority for various crimes by defining the roles of the investigative units. This permits investigations to be conducted more efficiently and effectively, while allowing officers to concentrate on the task at hand. It is the responsibility of all officers to use good judgement and request appropriate detectives when dispatched to incidents described in this directive.

### DEFINITIONS

Bodily Injury – Any impairment of physical condition, including physical pain.

Family or Household Member – An individual that: (1) is related by blood or adoption to the other person; (2) is or was related by marriage to the other person; (3) has or previously had an established legal relationship: (A) as a guardian of the other person; (B) as a ward of the other person; (C) as a custodian of the other person; (D) as a foster parent of the other person; or (E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D).

Intimate Partner – An individual that: (1) is a current or former spouse of the other person; (2) is dating or has dated the other person; (3) is or was engaged in a sexual relationship with the other person; or (4) has a child in common with the other person. This definition excludes acts of prostitution and one night stands.

Serious Bodily Injury – Bodily injury that creates a substantial risk of death or that causes: (1) serious permanent disfigurement; (2) permanent or protracted loss or impairment of the function of a bodily member or organ; or (3) loss of a fetus. Serious bodily injury also requires treatment at a hospital.

### PROCEDURE

#### I. Investigation Guidelines

##### A. Hierarchy Rule

1. For incidents in which the investigative responsibilities are crossed, the investigative unit responsible for the most serious crime is responsible for the investigation.
2. The investigative unit supervisor responsible for the most serious crime may defer the investigation to another appropriate unit if the totality of the circumstances does not warrant an assignment in that unit.

##### B. Suspect Age Rule

1. Investigations involving adult suspect(s) **18** years of age or older will be assigned to the investigative unit responsible for the most serious crime as defined in the Hierarchy Rule.
2. Unless otherwise specified, investigations involving juvenile suspect(s) **17** years of age or younger will be assigned to the Juvenile Section.



3. Investigations involving both juvenile and adult suspects, or if the suspects are unknown, will be assigned to the investigative unit responsible for the most serious crime alleged of the adult suspect as defined in the Hierarchy Rule.

## **II. Investigations Division Investigatory Responsibilities**

### **A. Homicide**

1. Homicide detectives are responsible for:
  - a. The investigation of all incidents in which death has occurred or is likely to occur as a result of unnatural or unknown circumstances, except in incidents of
    - i. Unintentional traffic deaths.
    - ii. Child deaths that fall under the investigative responsibility Child Abuse as described in Section II.F.
  - b. Conducting the initial investigation of all incidents in which life-threatening injury occurs. Such investigations may subsequently be assigned to an Aggravated Assault detective.
  - c. Incidents in which death has occurred or is likely to occur.
    - i. The appropriate unit (e.g., Arson, Missing Persons, etc.) will assist the Homicide detective responsible for the investigation.
    - ii. A Homicide Branch supervisor has the option to allow the initial investigating detective of an incident to retain the investigation if death eventually occurs.
2. Homicide Detectives are not required to respond to the scene of obvious unintentional overdoses. These incidents should be handled in accordance with General Order 4.31 - *Death Investigations*.

### **B. Aggravated Assault – Detectives are responsible for:**

1. Incidents involving bodily injury, but not a substantial likelihood of death, resulting from the discharge of a firearm. This excludes the use of an air gun unless serious bodily injury occurs;
2. Incidents involving the intentional use of a knife or other cutting instrument, if serious bodily injury occurs; and
3. Blunt force assault incidents, regardless of the weapon used, resulting in serious bodily injury if there is not a substantial likelihood of death, except those only resulting in short term unconsciousness and/or minor bone fractures.

#### **NOTE**

If no Aggravated Assault detective is available, the on-scene uniform supervisor will consult, via telephone if possible, with the Homicide detective/supervisor to determine whether an on-scene response by Homicide is necessary.

### **C. Firearms Investigations – Detectives are responsible for:**

1. Reviewing and tracking all handgun arrests and maintaining records regarding prosecution and disposition of all firearms investigations.



2. Presenting all felony handgun charges to Felony Screening if the handgun violation is the only charge filed, the companion charge is a misdemeanor, or the companion charge is a narcotics or felony charge not assigned to another detective:
  - a. Types of charges include, but are not limited to: felony fleeing, criminal recklessness with no victim, and/or felony traffic charges.
  - b. This can also be handled by another booking unit through an established agreement based on where the investigation would best be handled.
3. Notifying the Indiana State Police of requests for state handgun license revocations based on criminal histories, new pending felony charges, and case by case special request.
4. Tracing all firearms recovered by IMPD or placed in the IMPD Property Section using the ETrace program (provided by ATF) with information made available to detectives and MCPO.
5. Maintaining databases and coordinating with outside agencies regarding firearms investigations.
6. Presenting case files to the Marion County Prosecutor's Office (MCPO) for consideration of firearm retention using the "Jake Laird Law" to be filed in court for retaining and/or seizing firearms from mentally ill persons.
  - a. If a "Jake Laird Law" firearm seizure is necessary during an investigation assigned to another investigative unit, the detective from that unit will be responsible for working with the MCPO to submit the appropriate affidavit for the retention/seizure.
  - b. "Jake Laird Law" investigations not being handled by other investigative units will be assigned to Firearms Investigations.

D. **Robbery** - Detectives are responsible for:

1. All armed and strong-armed robberies of persons and businesses to exclude banks. Bank robberies are investigated by the FBI Safe Streets Task Force.
2. If rape is also committed, the primary investigating unit will be the Sex Offense Unit.

E. **Sex Offense** – Detectives are responsible for investigating the following incidents if the victim is **14** years of age or older:

1. Rape or attempt rape;
2. Sexual misconduct with a minor;
3. Sexual battery;
4. Child exploitation, except if conducted over the internet; and
5. Indecent exposure.

F. **Child Abuse** – Detectives are responsible for:

1. Sexual assaults if the victim is **13** years of age or younger, including:
  - a. Rape or attempt rape;
  - b. Child molest; and



- c. Indecent exposure.
- 2. Sexual assaults if the victim is **17** years of age or younger and the suspect **is** a blood relative, or the victim lives with the suspect. This includes:
  - a. Rape or attempt rape;
  - b. Child molest; and
  - c. Incest.
- 3. Abuse, neglect, and battery incidents committed by a family or household member, regardless of weapon used, as defined below:
  - a. Neglect of a dependent: both juvenile and adult victims;
  - b. Battery if the suspect is a guardian, caretaker, blood relative, step-relative, live-in boyfriend/girlfriend which results or may result in serious bodily injury to a victim who is **17** years of age or younger; and
  - c. Battery if the suspect is **18** years of age or older which results in or may result in injury to a victim who is **13** years of age or younger.
- 4. Death investigations involving the death of a child under the age of 14 years when the cause of death is likely the result of:
  - a. Natural or medical causes;
  - b. Non-vehicular accidents;
  - c. Neglect by a parent, guardian, or caregiver;
  - d. Drug overdose;
  - e. Homicide when the suspect is likely a parent, guardian, or caregiver; or
  - f. Homicide when the suspect resides with the child's parent guardian, or caregiver.

**NOTE**

Homicide detectives will investigate the incident if the child's death involves: drive-by shootings, fire, suicide, crossfire, or incidents that also involve adult victims.

- G. **Juvenile** – Detectives are responsible for investigating the following types of incidents, with juvenile suspects only, including, but not limited to:
  - 1. Assaults involving the use of a knife or blunt force resulting in at least bodily injury but not a substantial likelihood of death.
  - 2. Vehicle theft if the identified driver is a juvenile.
  - 3. Intimidation.
  - 4. Recklessness.
  - 5. Criminal confinement.
  - 6. All stalking incidents.
  - 7. Criminal mischief/vandalism.



8. Domestic violence incidents.
9. Possession of a firearm if there is no injury and no companion charges that would dictate the investigation be assigned to another investigative unit.

**H. Missing Persons** – Detectives are responsible for:

1. Missing persons and runaways.
2. Non-custodial parental abductions.
3. Amber Alert incidents.
4. All kidnappings and attempted kidnappings as defined in 35-42-3-2.
5. Missing persons resulting from major catastrophic events (e.g., building collapse).

**NOTE**

The Missing Persons Unit shall retain investigative authority until the investigation reaches its final disposition or a Homicide detective assumes investigative control.

**I. Organized Crime** – Detectives are responsible for:

1. Fraud on a financial institution.
2. Home improvement fraud.
3. Bank schemes (e.g., pigeon drops, bank examiner, etc.).
4. Counterfeit checks, money, and credit cards.
5. Embezzlements.
6. Long-term frauds and forgeries.
7. Identity deception.
8. Credit card skimmers.

**J. Financial Crimes** – Detectives are responsible for:

1. Forgery – Checks, credit cards, ATM card transactions with a signature involved, altered money orders, transfer checks.
2. Fraud – Credit cards and checks.
3. Stolen check(s) if an attempt to pass the check(s) has been made. A new incident report will be generated for the forgery or fraud. The original larceny or burglary will remain the responsibility of the district.
4. Home Takeovers – Individuals taking possession of a residence having no contractual interest in the property and providing fraudulent purchase, leasing, or rental documents showing ownership or possession rights.
5. Financial scams by phone call (e.g., IRS, IPL, and other threats of financial loss for payment over the phone).
6. Financial internet/computer and phishing scams.



7. Wire fraud.

K. **Computer and Digital Forensics** – This unit is comprised of 4 types of investigators:

1. Internet Crimes Against Children (ICAC) detectives are responsible for:
  - a. Child exploitation; and
  - b. Possession of child pornography.
2. Digital Forensic examiners are responsible for:
  - a. Providing highly specialized investigative support to all divisions of IMPD; and
  - b. Performing forensic examinations of possible digital evidence (computer, cell phone, tablet, etc.).

**NOTE** Digital Forensic examiners do NOT provide support for video forensic imaging.

3. Internet Investigations detectives are responsible for:
  - a. Providing investigative support to all divisions of IMPD through open and closed source data mining; and
  - b. Providing support by preserving social media accounts, as well as assisting in constructing and obtaining search warrants for evidence from the internet or social media sites.
4. Communication Records analysts are responsible for:
  - a. Obtaining cell phone records, either directly via warrant or through the case agent;
  - b. Analyzing the data;
  - c. Identifying relevant cell phone towers; and
  - d. Mapping the cell towers for court purposes.

L. **Pawn** – Detectives are responsible for:

1. Investigating and recovering stolen property from all used goods businesses; and
2. Entering and deleting stolen articles in the IDACS/NCIC system.

M. **Domestic Violence** – Detectives are responsible for:

1. Incidents involving physical violence between intimate partners except if the injury is caused by the discharge of a firearm.
2. Follow-up investigation of intimate partner domestic battery arrests made by uniform officers.
3. Follow-up investigation of intimate partner domestic battery incidents in which the suspect left the scene and was not arrested by uniform officers.
4. Stalking incidents involving intimate partners if the suspect is **18** years of age or older.
5. Invasion of privacy incidents involving intimate partners if the violated protective order was the result of a Domestic Violence detective's investigation.



- Investigating all companion charges to an investigation assigned to the Domestic Violence Section.

**NOTE**

All intimate partner domestic battery arrests are entered into case management under the domestic violence booking unit for tracking purposes. The domestic violence booking supervisor will review all intimate partner invasion of privacy incidents and will notify district booking supervisors of invasion of privacy investigations that will be the responsibility of a district detective.

**N. Vice and Human Trafficking** – Detectives are responsible for:

- Prostitution:
  - Street prostitution;
  - Organized prostitution (e.g., escort services, lingerie store, massage therapy, private dancing, etc.); and
  - Patronizing prostitution.
- Unlawful gambling (e.g., video poker machines, organized gambling, etc.).
- Alcohol offenses (e.g., bootleg liquor sales, liquor store sales to minors, tavern investigations, etc.).
- Public indecency violations occurring in public places (e.g., public parks, topless bars, lingerie shows, public restrooms, etc.).
- Enforcing other appropriate city ordinance violations.
- Human trafficking.

**O. Metro Drug Task Force** – Detectives are responsible for:

- Targeting, investigating, and prosecuting individuals who organize, direct, finance, or otherwise engage in high-level illegal drug trafficking enterprises.
- Targeting, investigating, and prosecuting serious drug offenders as well as repeat offenders.
- Seizing the assets and profits derived from trafficking.
- Promoting a coordinated drug enforcement effort throughout central Indiana and encouraging maximum cooperation among all law enforcement and prosecutorial agencies therein.
- Cooperating with Federal Agencies and Agency Liaisons once the criminal activity extends beyond Indiana borders.

**P. Drug Enforcement Agency (DEA) Liaison** – Detectives are responsible for the following tasks if they occur within and extend beyond Indiana borders:

- Targeting, investigating, and prosecuting individuals who organize, direct, finance, or otherwise engage in high-level illegal drug trafficking enterprises.
- Targeting, investigating, and prosecuting serious drug offenders as well as repeat offenders.



3. Seizing the assets and profits derived from trafficking.
4. Promoting a coordinated drug enforcement effort throughout central Indiana and encouraging maximum cooperation among all law enforcement and prosecutorial agencies therein.
5. Assisting various federal agencies.

**Q. Federal Bureau of Investigations (FBI) Safe Streets Task Force** – This unit is comprised of two task forces:

1. Violent Crimes Task Force is responsible for:
  - a. Bank robberies;
  - b. Hobbs Act Violations (serial robbers);
  - c. Wanted fugitives: to include Indiana Department of Corrections (IDOC) parolees;
  - d. Gun violence threats;
  - e. Child Exploitation Task Force (CETF);
  - f. Violent Crimes Against Children (VCAC); and
  - g. Special projects.
2. Safe Streets Gang Task Force is responsible for:
  - a. Incidents involving criminal gang activity as defined in state statute 35-45-9 and disrupting the criminal gangs responsible for the activity;
  - b. Transnational organized crime;
  - c. Assisting other detectives with investigations involving confirmed gang members; and
  - d. Coordinating with federal partners and resources to combat large-scale criminal gang activity.
3. Both Task Forces are responsible for assisting any other investigative unit when federal resources will benefit the investigation, apprehension, and prosecution of violent offenders.

**R. Asset Forfeiture** – Detectives and civilian personnel are responsible for:

1. Preparing forfeiture investigations by researching computer records;
2. Reviewing technical resources; and
3. Conducting analysis of pertinent information in order to develop and present forfeiture investigations to the appropriate federal, state and/or local agencies.

**NOTE** Refer to General Order 9.7 – *Asset Forfeiture*.

**S. Criminal Interdiction** – Detectives are responsible for:

1. Assisting units throughout the department with uniform investigations involving illegal narcotics, criminally-possessed firearms, and other criminal interdiction activities.



2. Patrolling roadways and other public areas throughout the city in an attempt to intercept illegal substances before they are distributed on the streets, when not engaged in the aforementioned responsibilities.

T. **Achilles/ATF** – If federal prosecution criteria can be met, detectives are responsible for:

1. Investigating the criminal possession of firearm.
2. Trafficking from individuals and lawful commerce into the hands of criminals who cannot legally purchase or possess a firearm.
3. Making certain all firearms are submitted for National Integrated Ballistic Information Network (NIBIN) testing provided the firearm meets the NIBIN criteria and is not involved in an investigation assigned to a detective.
4. Assisting the Firearms Investigations Unit, when necessary.

U. **Prescription Fraud** – Detectives are responsible for:

1. Crimes of forged and altered prescriptions.
2. Prescription drug theft.
3. Prescription drug trafficking.
4. Healthcare fraud and the diversion of prescription drugs by healthcare professionals in healthcare facilities including but not limited to hospitals, clinics, dental offices, and nursing homes.

V. **Arson** – Detectives are responsible for:

1. All fire incidents, except if death occurs or is likely to occur.
2. Assisting the assigned homicide detective if a death has occurred or is likely to occur as the result of a fire incident.

W. **Special Investigations (SIU)** – Detectives are responsible for the following incidents if not specifically assigned to another unit:

1. Alleged criminal conduct, on or off-duty, by current members of IMPD and any subordinate agency structurally falling within the span of control of the Chief of Police or including, but not limited to, the following:
  - a. Members involved in domestic violence & violations of protective orders. (Refer to IMPD General Order 6.11 – *Domestic Violence and Protective Orders*);
  - b. OVWI Investigations in which members were operating a motor vehicle involved in at least one of the following (Refer to IMPD General Order 7.4 – *Police and Other Department of Public Safety Vehicle Crashes and Damage*):
    - i. All fatality or serious bodily injury crashes requiring a Level II or higher crash investigator;
    - ii. Any sign of intoxication as determined by a supervisor on the scene;
    - iii. Property damage or other personal injury crash with BrAC greater than .05 as determined by a PBT; and/or



- iv. Refusal to submit to a certified chemical test.
- c. Police vehicle driving complaints involving the following (Refer to IMPD General Order 4.16 – *Police Vehicle Operations*):
  - i. Supervisor’s suspicion of intoxication, and/or
  - ii. BrAC .05 or higher as determined by a PBT.
- d. Non-vehicle incidents involving violations of IMPD General Order 3.24 – *Substance Abuse Program* with BrAC .02 or higher with potential criminal charges.
- 2. Alleged criminal conduct, on or off-duty, by active law enforcement officers of other agencies occurring within the jurisdiction of IMPD.
- 3. Investigations involving employees, local elected officials, or contractors of the Consolidated City of Indianapolis and the commission or omission of any act that constitutes a criminal act for the purpose of personal gain for any person and involving the performance of official duties or the use of the resources of the Consolidated City of Indianapolis.
- 4. Any investigation as directed by the Chief of Police or designee.
- 5. Assisting and reporting on criminal investigations conducted by other jurisdictions as described above.

X. **Violent Crimes Unit (VCU)** - Detectives are responsible for:

- 1. Coordinating the location and apprehension of suspects of violent crimes at the request of the investigating detective.
- 2. Locating witnesses to violent crimes at the request of the investigating detective.
- 3. Assisting other investigative units with surveillance details and UC operations.
- 4. Murder for hire investigations.
- 5. Special assignments.
- 6. Proactive investigations aimed at serious violent felons and other suspects involved in violence in an effort to reduce future crimes.

III. **District Investigative Responsibilities** - District detectives are responsible for:

- A. Confinement incidents involving SWAT call-outs if there is no police action shooting, death, or probable death.
- B. Confinement incidents if the suspect is **18** years of age or older and the confinement is not a companion charge to a domestic violence arrest.
- C. All food tampering incidents.
- D. All assaults unless it involves the discharge of a firearm and/or the victim has suffered serious bodily injury, other than short term unconsciousness and/or a minor bone fracture.



- E. Intimidation incidents, if the suspect is **18** years of age or older.
- F. Threatening phone calls, unless it is a threat to a victim/witness in an investigation already assigned to a detective.
- G. Vehicle thefts if the identified driver is either unknown or **18** years of age or older.
- H. All harassing telephone calls if the suspect is **18** years of age or older.
- I. All stalking incidents if the suspect is **18** years of age or older not involving an intimate relationship as set forth in IC 35-42-2-1.3.
- J. Disturbances – including shots fired.
- K. Recklessness if the suspect is **18** years of age or older, including recklessness with a vehicle and/or weapon.
- L. All burglaries and larcenies.
- M. Automatic teller (ATM) card withdrawals with no signature involved.
- N. Vandalism and criminal mischief incidents if the suspect is **18** years of age or older.
- O. Completion of the charging information and follow-up on incidents of battery on a police officer, if the injury to the officer is not life threatening and deadly force or attempt deadly force was not used.

**NOTE**

If deadly force or attempt deadly force was used in the commission of a battery on a police officer, the Critical Incident Response Team will be responsible for the investigation (Refer to General Order 1.7 – *Critical Incident Response Team*).

- P. Invasion of privacy incidents not assigned to a Domestic Violence detective.

**IV. Homeland Security/Bomb Squad Investigative Responsibilities** - Detectives are responsible for:

- A. Incidents involving the use, real or implied, of a destructive/explosive device. This includes, but is not limited to, the following:
  - 1. Actual and attempted bombings;
  - 2. Explosions;
  - 3. Over-pressure devices (chemical reaction);
  - 4. Post-blast scene investigations;
  - 5. Suspicious packages;
  - 6. Hoax devices;
  - 7. Bomb threats;
  - 8. Molotov cocktails;
  - 9. Stolen and recovered explosives;
  - 10. Military ordnance recovery;
  - 11. Clandestine explosives labs;



- 12. Weapons of mass destruction (WMD); and
- 13. White powder incidents.

- B. Assisting the appropriate federal agencies (e.g., FBI, ATF, etc.) with the investigation of any related situation in which federal agents would have primary jurisdiction.
- C. Assisting the Homicide detective responsible for incidents in which death occurred or is likely to occur.

**NOTE**

When a destructive device is used, and fire is suspected as the primary motive, an arson detective will also be notified and assist as needed.

**V. Internal Affairs (IA) – Detectives are responsible for:**

- A. Investigating allegations of administrative misconduct by sworn and civilian members of IMPD and to perform other investigations as assigned by one of the following:
  - 1. The Chief of Police or designee;
  - 2. The Assistant Chief of Police;
  - 3. Division Deputy Chiefs;
  - 4. The Executive Director of the Citizen’s Police Complaint Office (CPCO); and/or
  - 5. The Office of Corporation Counsel.
- B. Gathering pertinent information, including statements, reports, photographs, tape recordings, etc. with respect to civil cases where either Marion County, the City of Indianapolis, or the IMPD is named as a party defendant, when requested.
- C. Investigating firearms discharges by IMPD officers to determine adherence to department policy.

**EXCEPTION**

Incidents of animal destruction by firearms and accidental discharges not resulting in injury will be investigated by the district supervisor.

- D. Investigating IMPD vehicle pursuits resulting in a crash causing death or injuries likely to result in death.
- E. Providing support, cooperation, and investigative assistance on complaints taken by the CPCO.
- F. Investigating complaints made by citizens or any member, sworn or civilian, of the department.
  - 1. Complaints of a minor nature may be referred to the commanding officer of the member in question for investigation and proper action.
  - 2. Complaints of a more serious nature are assigned to an IA investigator.