



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Operations	Section: 411.9
Subject: Investigations	Topic: Criminal Investigation: Case Management
Accreditation: OPR.02.04	Revised: Reaffirmed:
Enacted: 07/30/2015	Last Review: 04/01/20 Review: 04/01/2021

I. PURPOSE

The purpose of this General Order is to establish the procedures to be followed in the receipt, recording, reviewing, classification, assignment, and maintenance of cases to be used by deputies while conducting criminal investigations.

II. POLICY

It shall be the policy of the Loudoun County Sheriff's Office to refer cases of a serious, complex and/or confidential nature to the Criminal Investigation Division for investigation and/or resolution. For serious or complex property crimes, cases may also be forwarded to the Station Criminal Investigations Section Detectives. In order to ensure the effective and efficient investigation of all cases turned over to or initiated by detectives, the Sheriff's Office shall strictly adhere to the procedures outlined in this order for the supervision, maintenance and control of criminal investigative activities.

III. PROCEDURE

A. Case Status Control System

1. Cases forwarded to CID

- a. Upon receipt of an offense report marked the disposition "TOT CID," the CID Commander or designee shall review the report and forward to the appropriate Section Supervisor (i.e. Major Crimes, or Tactical Enforcement Unit) for further action. The CID Commander may direct the Section Supervisor to take specific action and/or recommend a particular investigative procedure. Additionally, the CID Commander, or designee, may change the case folder status designation from "Pending" or "TOT-CID" to "Inactive," based upon criteria stated in the remainder of this directive.
- b. The CID Commander, or designee, may refer the case back to Field Operations for field investigation and/or additional information.

2. Section Supervisor Responsibilities after Receipt of an Offense Report for assignment:

- a. The Section Supervisor shall review the report thoroughly and decide as to what investigative efforts should be undertaken by CID. The supervisor shall

adhere to any specific instructions noted by the CID Commander, or designee.

- b. If after review, the case is determined that it should be returned to the initiating deputy, the Section Supervisor shall notify the Deputy's supervisor and explain the reason, discuss, and make any appropriate suggestions for possible actions that should be taken regarding the report.
 - c. If, after review, it is determined that the case warrants follow-up investigation, the Section Supervisor shall take the following action:
 - i. Select the Detective to whom the case is to be assigned.
 - ii. Assign the case to the Detective in RMS. (The detective listed shall be considered the "Primary Detective" and shall have responsibility for the investigation and all reporting requirements.)
 - iii. Indicate the report due date. The due date is the date when an investigative supplement report must be submitted for review. Routine cases will be allowed thirty (30) days. Any extension past 30 days must be approved by the Section Supervisor or higher authority.
 - iv. Indicate in RMS any specific tasks for the Detective to accomplish and/or any particular investigative technique to be employed.
 - v. Ensure that in the Case Details subfolder, the Case Status is listed as "Assigned," the case folder owner has been changed from the original or initiating Deputy to the assigned Detective and apply the appropriate Folder Flag Categories.
 - vi. Carefully monitor the investigative progress and continue to apply solvability factors. The Section Supervisor may inactivate the investigation in accordance with existing agency directives.
 - vii. Upon the approval of the Detective's final report and after a thorough investigation has concluded, the Section Supervisor should change the case folder status to from "Assigned" to "Closed" in the Case Details subfolder.
3. Detective Responsibilities upon Receipt of an Assigned Case:
- a. Carefully review the report and any related documentation.
 - b. Check "Messages and Assignments" in RMS for any supervisor notes.

- c. Proceed with the investigation in accordance with agency directives and procedures and any specific instructions indicated by the CID Division Commander, Assistant Division Commander and/or Section Supervisor.
 - d. Establish contact with the victim and/or reporting person within forty-eight (48) hours of receipt or as soon as practical. In addition, it is suggested that second contact be made with all principals in the particular case as soon as possible (within 48 hours if practical).
 - a. This practice is especially useful in that it may result in the receipt of new and/or additional information necessary to resolve the case.
 - e. Adherence to this practice also builds public confidence in the Sheriff's Office and indicates concern for the victim's welfare; others associated with the case and the desire to bring the investigation to a successful conclusion.
 - f. File a supplemental report within 30 days indicating victim or complainant contact, investigative action taken and the development of leads, evidence and/or suspects. This procedure shall continue until the investigation is ended, or until the Section Supervisor or the CID Division Commander inactivates the investigation.
 - g. The assigned Detective may request the Section Supervisor to suspend the case at any time during the investigation that it appears all investigative alternatives have been exhausted and/or further action would be ineffective.
 - h. At any time during an investigation, including initial screening by the CID Commander and/or the Section Supervisor, the case status is changed from "Pending" to "Inactive" or "Closed."
 - i. When the case is changed from "Pending" to "Inactive" or "Closed," the detective shall notify the victim or reporting party of the change in case status.
- B. Case Report Status Disposition Designation - Terminology
- 1. Pending: The case is assigned to a Detective and investigative efforts are active.
 - 2. Inactive: All available leads have been exhausted, but the case has not been brought to a satisfactory conclusion and investigative efforts may be resumed, with the development of new leads or other information.
 - 3. Closed: The case has been satisfactorily concluded, by any of a number of means and further action is not anticipated. Below are some of the circumstances under which a case may be closed. It is emphasized that these are not the only situations

under which a case may be closed and supervisors should be cognizant to the fact that a variety of situations may arise which would warrant closing a case which is not listed in this directive.

- a. Closed: When a non-criminal case has been successfully resolved and further investigative and/or agency action is not necessary or possible, or a criminal offense is transferred to another jurisdiction to conduct the primary investigation. Example: A runaway who returns home or is located unharmed; lost property is located and no foul play is suspected; a domestic dispute where peace is restored and neither party is claiming injury and no prosecution is desired.
 - b. Closed by Arrest (Adult/Juvenile): A suspect has been identified and arrested for the reported offense.
 - c. Closed Exceptional: The case has not been brought to an acceptable close, however, extenuating circumstances exist which prohibit further action. Example: A suspect has been identified and the victim and/or the Commonwealth's Attorney declines to prosecute; a suspect is identified and the suspect either dies or, in limited situations, a victim or key witness dies which would prohibit prosecution.
4. Unfounded: The investigation concluded the allegation or indication of a crime proved false or did not occur.

C. Cases Initiated by CID

1. In certain situations, cases may come to the attention of CID personnel that have not been pre-reported to the Field Operations Division. In such instances, the CID Detective receiving the information shall initiate a LCSO Case Report, detailing as much information as appropriate and forward through the Section Supervisor and CID Commander to the Records Section.
 - a. The above procedure applies to cases that would normally require CID follow-up action, and not to minor offenses that inadvertently come to the attention of Detectives in CID. Routine cases and/or minor offenses shall be referred to the Field Operations Division via the Communications Section or on-duty Patrol supervisor, as appropriate.
2. Cases involving vice, narcotics and/or organized criminal activity do not fall under the scope of this section and shall be recorded and investigated in accordance with existing General Orders governing such activities.

- a. Offense reports and supplements shall be submitted to the Records Section when the case is "Closed" and/or when deemed appropriate by the Tactical Enforcement Unit Supervisor or CID Division Commander.

D. Case Screening System

1. In order to more efficiently use available manpower, CID Supervisors shall thoroughly screen all Case Reports received from the Field Operations Division. Particular attention shall be given to the extent and results of the preliminary investigation conducted by the reporting deputy. As outlined in a preceding section of this directive, the initial case screening begins in CID with the review by the Division Commander. However, the primary screening responsibility rests with the Section Supervisors.
2. Case screening by CID supervisors shall be based on factors affecting solvability (listed below) and will result in a determination of whether or not the case will be assigned for follow-up investigation by investigative personnel.
 - a. Solvability factors to be considered in assigning a case for follow-up and/or changing the case status:
 - i. Seriousness of the offense
 - ii. Time elapsed between occurrence and reporting
 - iii. Suspect identification
 - iv. Vehicle identification
 - v. Witness availability/reliability
 - vi. Identification/traceability of property
 - vii. Presence or lack of physical evidence
 - viii. Pattern/similarity of modus operandi
 - ix. Physical/mental condition of victim/reporting person
 - x. Other recognizable/articulable factors which would affect successful investigation of the case

- b. In addition to the solvability factors above, certain other criteria should be considered in assigning cases to investigative personnel for follow-up. Some of these factors are as follows:
 - i. Documented experiences of the agency in dealing with certain types of crimes/incidents.
 - ii. Documented experiences of other law enforcement agencies in dealing with similar cases.
 - iii. Research conducted by the Sheriff's Office dealing with particular types of crimes/incidents.
 - iv. Research conducted in other law enforcement agencies pertaining to investigating and closing similar types of offenses.
 - v. Investigative workload and/or availability of resources necessary to successfully deal with a particular type of crime/incident.
- c. After careful application of solvability and other pertinent factors, the responsible supervisor(s) will either direct follow-up investigation or suspend the investigative effort. The decision to suspend the investigative effort and change the case status must be based on sound screening methods and involve one of the following criteria:
 - i. Absence of further leads and/or solvability factors.
 - ii. Unavailability of investigative resources.
 - iii. Degree of seriousness of crime/incident.
- d. It is important to remember that case screening is a continuous process, which begins with the initial reporting of the offense and continues until the case is brought to a conclusion. By the continuous screening and application of solvability factors, supervisors can better control the investigative efforts, workload and potential for success of their personnel and section.

F. Case File Maintenance

- 1. Pending Cases: The maintenance and care of case files for crimes/incidents under active investigation by CID Detectives shall be the responsibility of the assigned Detective. The assigned Detective shall maintain the RMS case folder and any

working/reference copies in a neat and orderly manner and shall take necessary precautions to ensure the security of the information contained therein. Each individual assigned to investigate cases in CID shall have a file drawer in his office marked "Pending Cases," in which investigative case file copies shall be kept, except when follow-up work is being done on that particular case. Anytime documents are collected or generated the items must be added to the original case file that is kept in the Records Management System. Detectives are not to keep any original evidence in their case file. For example, CDs, DVDs, and checks are considered original evidence. A working copy may be made for reference. To ensure continuity and assist personnel who may later be assigned to work on the same case, case files shall be established on each case and maintained in the following manner:

- a. Right side: All official reports, supplements, laboratory submission and result sheets, CID Case Status Control Form, copies of warrants, subpoenas, official correspondence, etc.
 - b. Left side: Investigative field notes, unofficial correspondence, sketches, vehicle listings, driver's license checks, wanted checks, etc.
2. Inactive Cases: When a case assigned to CID personnel for investigation is inactive, the entire investigative case file shall be uploaded to the case folder in the Records Management System.
 - a. Cases initiated prior to the Records Management System shall be maintained in a secure file cabinet and under the direct control of the CID Division Commander and recorded in the CID consolidated record system file. Inactive case files shall be filed under the name of the Detective assigned to investigate the case, in numerical case order. By filing in order of case number, it also at the same time provides a chronological filing.
 3. Closed Cases: When a case under investigation by CID personnel is closed, the case file shall be uploaded to the case folder in the Records Management System using the same procedure as outlined above.
 4. Access to Case Files: Detectives shall exercise extreme care in controlling the access to case file folders under their control. Access to information in case files shall be limited to sworn personnel of the Loudoun County Sheriff's Office and sworn personnel from other law enforcement agencies. Exposure to any and all information shall be granted on a "need to know" basis and must be in connection with a legitimate, on-going investigative function. Mere curiosity will not suffice. Requests for information contained in case files by persons other than sworn law enforcement officers, shall be referred to the CID Division Commander and shall be

dealt with in accordance with existing Sheriff's Office policy and laws governing release of such information.

- a. Information contained in investigative case files shall be available to prosecutors from the Commonwealth Attorney's Office upon request during all court proceedings. All information and/or documentation provided to the Commonwealth Attorney's Office shall be documented in written form, detailing all information/documentation provided, date provided, and to whom it was provided, and this documentation shall be retained in the original case file.
5. Purging of CID Case Files: The CID Division Commander, or designee, shall inspect the physically stored (paper) CID case files on a regular basis in order to ensure that records are being maintained in accordance with the provisions of this directive and in a useful/efficient manner. In order to keep the filing system from becoming cluttered with files that are not being used and/or are dormant, records shall be purged on a regular basis. The purging of investigative files shall include the discretion of the CID Division Commander and/or the Detective assigned, based on the offense nature, and/or current case status.
- a. Inactive case files shall be maintained for a period of six (6) months in CID, filed as indicated above. Keeping suspended case files for a period of six months will ensure that they are readily available should new leads present themselves and/or should a pattern of offenses occur. After six months, the investigative case file shall be forwarded to the Records Section for inclusion in the agency records system.
 - b. Closed case files shall be maintained in CID for a period of one (1) year in order to ensure availability for court proceedings and/or reference in similar offenses. After one year, the case file shall be forwarded to the Records Section for inclusion in the agency records system.
 - c. Both inactive and closed case files may be retained in CID longer than the time specified above, if deemed appropriate by the CID Division Commander. However, such retention should be limited to situations where the files are necessary for investigative and/or court proceedings.