



# ORONO POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

<b>Subject:</b>	<b>Preliminary Investigations</b>	<b>Policy #</b>	<b>0-3</b>
<b>Effective Date:</b>	<b>September 7, 2023</b>	<b>Review Cycle:</b>	<b>2 Years</b>
<b>Distribution:</b>	<b>All Sworn Personnel</b>	<b># of pages:</b>	<b>5</b>
<b>MLEAP:</b>	<b>7.11, 7.12</b>		
	<b><i>Rescinds All Previous Policies Related To This Current Policy</i></b>		
<b>Issuing Authority:</b>	<b>Chief of Police Daniel Merrill</b>		

### **I. POLICY:**

One of the most basic and essential functions of law enforcement is the investigation of calls for service. These calls for service comprise a wide range of variety and encompass both criminal and non-criminal matters. One objective may be the successful identification, apprehension, and prosecution of criminal offenders. The ultimate success or failure of this effort is closely related to the officer's immediate response and actions when a call for service is first brought to his/her attention.

This initial activity, the preliminary investigation, is the responsibility of the patrol units and is often crucial to the outcome of a case. The preliminary investigation should not be treated as a routine matter and may provide the officer with information that is useful in determining guilt or innocence, as well as solving other crimes. The use of patrol units for the preliminary investigation is crucial because of their ability to provide prompt and efficient service at any time of day or night.

### **II. PURPOSE:**

This policy sets forth the responsibilities of an officer conducting the preliminary investigation of a reported crime or incident and the procedures for discharging those responsibilities.

### **III. PROCEDURES:**

#### **MLEAP 7.11**

1. The following list summarizes the duties of an officer conducting a preliminary investigation at the scene of a crime.
  - a. Provide the best possible description of the offender(s), vehicle, type of criminal activity, the direction of flight, whether the offender is armed, and type of weapon.
  - b. Arrange for the immediate pursuit of the offender(s) if the flight is recent and initiate this pursuit if the possibility of rapid capture is likely.
  - c. Care for the victim if medical attention is necessary until the arrival of medical personnel.
  - d. Carefully protect the crime scene from intrusion or change. Preserve all physical evidence and photograph all time-sensitive physical evidence before contamination or elimination.
  - e. Note and record conditions at the crime scene, time of the incident, time of the initial report, person reporting the incident, weather, visibility, lighting conditions, and all other pertinent information.
  - f. In the event of a severe or substantial crime/event, request that the duty supervisor or officer in charge respond to the scene. The duty supervisor, or officer in charge, will be responsible

- for making a notification for additional personnel, the criminal investigations division, the administration, or other agencies if the incident requires.
- g. Upon the arrival of a superior officer or detective who will continue with the in-depth investigation, inform that officer of the information obtained, and the immediate steps are taken.
  - h. Photograph the scene utilizing the officer's digital camera located in the vehicle. Take the number of pictures necessary to fully document the scene.
  - i. If the incident is of a severe nature that warrants a crime scene log, the officer shall remove a blank log sheet from the report folder located in his/her vehicle. Unauthorized persons (civilian and police) shall not be allowed access to the crime scene. The log will indicate the name of each individual who enters the crime scene, along with the time that each individual enters and leaves.
  - j. Identify all persons present and record the following information: name, date of birth, social security number, current physical address, and telephone number(s).
  - k. Arrest the offender, if possible.
  - l. Once the preliminary investigation has been turned over to the follow-up investigator, the initial officer shall return to standard patrol procedures as soon as practicable and make a written report of all that was learned, observed, and done during the preliminary investigation.
2. When the nature of the call requires, the investigating officer shall, as soon as possible, communicate to the communications officer the following information:
    - a. The nature of the incident.
    - b. Request for additional resources, the location where the resources are needed, and what assistance these other resources are expected to provide.
    - c. If there is an offender, a complete physical description of the person (sex, race, height, weight, hair color, eye color, facial hair, or distinguishing features) and clothing. If the suspect has fled the scene, advise on the last known direction of travel and lapse of time between the time of the incident and the arrival of officer(s) on scene.
    - d. If there is a vehicle involved, a complete description to include color, make, model, partial or possible registration number and state, and distinguishing features. If the vehicle has fled the scene, advise on the last known direction of travel.
    - e. Whether the suspect is, or may potentially be, armed and what type of weapon is involved.
    - f. If a property is involved in the incident, a description of the property and an indication of how the property is involved (stolen, vandalized, etc.).
  3. When the nature of the call requires, the investigating officer shall, as soon as possible, locate, identify, and interview all available witnesses to obtain an accurate account of the incident.
    - a. Witnesses shall be sequestered from each other until after written statements are obtained. This will reduce the amount of collaboration during the statement process.
    - b. Witnesses should be questioned as soon as possible and in a quiet area if one is available.
    - c. The officer should keep the questions simple and directed to extract only the pertinent information about the incident.
    - d. The officer should only pose one question at a time to ensure the previous question is answered.
    - e. The officer should avoid asking leading questions, i.e., questions that imply the answers.
    - f. The officer should avoid interruptions and attempt to keep the witness focused on the event.
    - g. The officer should bear in mind his/her demeanor during the interview process and the peculiar characteristics of witnesses that may affect their statements.
    - h. Listen for and note any unguarded remarks made by witnesses or others present at the scene.
    - i. Interview neighbors and bystanders as to their knowledge of suspicious persons or vehicles in the area.
    - j. Officers are required to record interviews of suspects, witnesses, and victims of serious crimes: *Murder and all Class A, B, and C offenses listed in Chapters 9, 11, 12, 13, and 27 of*

*the Maine Criminal Code and the corresponding juvenile offense. Please refer to the "O-4 Recording of Suspects in Serious Crimes and Preservation of Notes and Records" policy.*

4. When the nature of the call requires, the investigating officer, as soon as possible, shall take photographic evidence of the scene to present an accurate representation.
  - a. Photographs will be taken from opposing angles to encompass the entire scene.
  - b. Digital photographs of serious events shall be supplemented with and/or a video recording device.
  - c. The officer should be careful when photographing evidence to use materials and equipment that will not distort the scene and will portray an accurate representation.

#### **IV. CLEARANCE:**

1. **Log Entry:** Log entries are an alternative to Field Interviews (FI) or Offense Reports (OF), generated by active investigations and official reporting requirements, and will be left to the discretion of the interviewing officer.

The assigned officer(s) will ascertain the nature of the complaint by interviewing the complainant and any other potential witnesses. If a complainant or witness is not available, the officer will rely upon his/her investigative skills to determine the nature of the complaint and resolve the incident. To justify the utilization of a log entry, the officer must first determine that a crime has not been committed, the involved party does not request a full investigative report be completed, or the event is merely the rendering of police services. The log entry must provide a brief description of the event and the action the officer has taken. Log entries may be made by either the communications officer or the assigned officer.

2. **Field Interview:** Field Interviews (FI) are an alternative to the Offense Reports (OF) generated by active investigations and official reporting requirements, and will be left to the discretion of the interviewing officer.
  - A. The assigned officer(s) will ascertain the nature of the complaint by interviewing the complainant and any other potential witnesses. If, upon interviewing any possible suspects of an incident or event, the officer believes a more thorough interview of the person needs to be conducted, the officer may conduct a Field Interview. The identification of the individual should be made through a Photographic Identification Card, the officer's own knowledge of the individual, or a trusted third party. The officer will refer to the event through the Call for Service (CFS) Number and will obtain all required information from the Field Interview screen of the Records Management System, including the individual's full name, date of birth, social security number, and last known address.
  - B. As soon as practical, the officer will enter the information into the Records Management System through the generation of a Field Interview Number. The officer will fill in all appropriate fields and provide a detailed account of the event. In the event an individual is removed from a specific location and provided with a criminal trespass warning, the interviewing officer will complete a Field Interview on the person so removed unless criminal charges are pending. Upon completion of the Field Interview screen, the interviewing officer will also complete the Trespass Log, which is contained in the Records Management System. This entry will include the location, duration, and the officer who issued the warning to the individual.
  - C. It should be noted that a digital photograph should accompany most field interviews for future identification of the individual.
3. **Offense Report:** An Offense Report shall be drawn by the investigating officer whenever a misdemeanor or felony crime is reported, and the officer is unable to make an immediate arrest on the scene. If the perpetrator of the crime is known and an arrest of the individual will be forthcoming, an incident report will still be drawn.

- A. An Offense Report shall be drawn when the investigating officer feels the incident requires further investigation or official documentation. This action may be relevant when the officer is investigating non-violent family disputes, civil matters, or disputes that may result in a further inquiry by the department or town, or when an officer believes that intervention by an outside agency (Probation/Parole, DHS) may be required.
  - B. The assigned officer(s) will ascertain the nature of the complaint by interviewing the complainant and any other potential witnesses. If, upon interviewing any possible suspects of an incident or event, the officer believes a more thorough interview of the person needs to be conducted, the officer shall complete an Offense Report. The identification of the individual should be made through a Photographic Identification Card, the officer's own knowledge of the individual, or a trusted third party. The officer will refer to the event through the Offense Report (OF) number and will obtain all required information to complete the report in the Records Management System. The officer will fill in all appropriate fields and provide a detailed account of the event. An officer investigating an incident where no criminal activity has taken place shall document the incident by coding the Offense Report as "No Crime."
  - C. **All reports must be completed by the investigating officer before days off, vacation, school, etc., unless preapproved by the duty supervisor.**
4. **Arrest Reports:** An Arrest Report (AR) shall be drawn when an individual is taken into custody through an officer's investigation resulting in criminal charges, a request from Probation and Parole, an active warrant, probable cause to arrest from another agency, or to take someone in protective custody (outlined under Title 34-B § 3862). Officers will complete all documentation concerning an arrest by the end of the shift if the suspect is in custody. If the suspect makes bail, then the officer will complete the documentation in a timely fashion unless otherwise advised by the duty supervisor to complete it immediately. **All reports must be completed by the arresting officer prior to days off, vacation, school, etc.**
  5. **Photographic Evidence:** Physical evidence of criminal activity that results in an investigation and/or an arrest shall consist of a photograph taken with the department's digital camera. The officer shall attach all photos to the appropriate report.
  6. **Follow-Up Investigations:** **MLEAP 7.12**
    - A. Officers will conduct thorough preliminary investigations and forward their findings to the appropriate supervisor for review and approval. The supervisor may forward the investigation to a detective for follow-up investigation.
    - B. All investigations not requiring follow-up by a detective will be the responsibility of the primary officer.
    - C. It is the responsibility of the investigating officer's immediate supervisor to ensure that a proper and thorough investigation is completed.
  7. **Trials and Hearings:** All officers shall have their cases properly prepared, witnesses present, and evidence suitably arranged for a presentation to the court, grand jury, or hearing board. They shall afford the utmost respect toward the court, officers of hearing boards, and members of the jury. When presenting evidence or testimony, they shall speak calmly and explicitly in a clear, distinct, and audible tone so as to be easily understood. They shall give evidence with accuracy, confining themselves to the case before the court and shall neither suppress nor overstate the slightest circumstance with the intent of favoring any person or projecting ill will to either the complainant or the defendant. When cross-examined by a defense attorney, they shall answer with the same civility and readiness as when giving testimony in support of the prosecution.
  8. **Scanning & Attaching of Supporting Documents:** The Administrative Assistant will be required to scan all related documents associated with an Incident Report and upload them. This will include but not be limited to witness/victim statements, teletype responses, "Blue Forms," Intoxilyzer results, etc.

9. **Audio/Visual Recordings:** Any crimes that are considered severe (*Refer to O-4 Recording of Suspects in Serious Crimes & Preservation of Notes & Records*) shall be downloaded onto Evidence.Com.
10. **Cruiser Camera or Body-Worn Camera:** Please refer to ***Patrol Vehicle Audio / Video Recording.***