



# UNC Greensboro Police Department

## Investigative Procedures

### General Order 3-1.3

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#### **Procedures Used in Criminal Investigations**

It is the purpose of this policy to provide officers and detectives with legally sound procedures for conducting investigations. Detectives will fairly and impartially investigate all cases assigned for follow-up and the following standards will be followed during criminal investigations.

Potential sources of information include witnesses, victims, neighbors, relatives, other law enforcement agencies, and informants. Information received from any of the sources must be judged objectively, documented, and obtained in a manner that is consistent with departmental policy and North Carolina State Law.

#### **Preliminary Investigation Responsibilities**

##### **Upon arrival, the first officer will:**

- Notify Communications of arrival and any other circumstances that may affect the safety of the public or other officers.
- Record the time of arrival and all action taken or information gathered during the investigation. The officer is to observe all conditions, events, and remarks.
- Notify Communications if any additional units or other support is required in emergency situations or as appropriate to the situation. (i.e., ambulance, supervisor, fire units, public utilities, medical examiner, Greensboro Police Department Crime Scene Investigator, TSU.)
- Provide immediate care for injured persons. Witnesses, suspects, or victims needing transportation to a medical facility will be met at or accompanied to that facility by police personnel.
- Relay the description(s) of any suspect(s) who have left the scene to Communications.
- Take appropriate action if suspects are on the scene and are not injured. (i.e., taken into custody, detained for questioning or interviewing by investigative units.)
- Locate, identify, and interview complainants, victims, suspects, and witnesses. Collect personal information from all involved parties (i.e. name, aliases, date of birth, address, employer, phone numbers etc.)
- Secure the crime scene by maintaining and protecting the crime scene and arranging for the collection of evidence and to prevent loss or destruction of evidence.

- Officers will seize, or will ensure seizure of, any evidence pertinent to the investigation, and especially those items that would likely assist in the solvability of the incident and/or prosecution of the crime. Officers should weigh the value of evidence to the type/severity of the incident and use reasonable judgement. For example: a handwritten note at a suicide would be item of high evidence value and should be seized; however, a brick used to break a window at an injury to property can just be photographed. However, if it was a brick located during a homicide investigation and relevant to the case, then it should be seized.
- All video surveillance recordings should be seized regardless of the quality of the recording.
- Initiate and maintain a Crime Scene Entry Log on major cases. If the case requires, or if it is apparent that CIU personnel are going to be called to the scene, officers will not re-enter the crime scene.

**If additional support units are needed or required, the second or back-up officer will:**

- Notify Communications of arrival and any other circumstances that may affect the safety of the public or other officers.
- Locate the first officer and assist as directed.

**The first officer on the scene is in charge unless:**

- He/she becomes incapacitated.
- The case is reassigned by the supervisor.

**If the Patrol Sergeant or First Line Supervisor is needed or required, upon arrival he/she will:**

- Evaluate the nature of the offense and determine the appropriate investigative levels of responsibility.
- Determine if the investigation is proceeding in a satisfactory manner and take appropriate steps to ensure that it is conducted properly.
- Determine if additional resources are needed.

### **Interviews and Interrogations**

Interviews and interrogations conducted by investigations personnel will follow the procedures outlined in the "Interviews and Interrogations" section of this policy manual.

**Juveniles-** All juveniles held in our processing/interview rooms must be logged in the NC Governor's crime commission Juvenile Holding Log. Log is located on the processing room desk. Compliance forms must be submitted to the Governor's Crime Commission quarterly.

### **Documenting Statements and Confessions**

The circumstances surrounding the conduct of interrogations and recording of confessions must be fully documented. This includes but is not necessarily limited to:

- Location, date, time of day and duration of interrogation;
- The identities of all officers or others present;
- *Miranda* warnings given, waivers provided, and suspect's response, if any; and
- The nature and duration of breaks to provide the suspect with food, drink, use of lavatories, or other purposes.

G.S. §15A-211 requires that any law enforcement officer conducting a custodial interrogation in an investigation of a juvenile shall make an electronic recording of the interrogation in its entirety. Any law enforcement officer conducting a custodial interrogation in an investigation relating to any of the following crimes shall make an electronic recording of the interrogation in its entirety: any Class A, B1, or B2 felony; and any Class C felony of rape, sex offense, or assault with a deadly weapon with intent to kill inflicting serious injury.

All custodial interviews will be recorded and include advising the person's Constitutional rights; the entire interview will be recorded throughout. Failure to comply with any of the requirements of this section shall be considered by the court in adjudicating motions to suppress a statement of the defendant made during or after a custodial interrogation. The State shall not destroy or alter any electronic recording of a custodial interrogation of a defendant convicted of any offense related to the interrogation until one year after the completion of all state and federal appeals of the conviction, including the exhaustion of any appeal of any motion for appropriate relief or habeas corpus proceedings. Every electronic recording should be clearly identified and cataloged by law enforcement personnel.

All recordings will be handled as evidence and conform to the following requirements:

- The original will be held in evidence until the case is adjudicated.
- Recordings will be stored in a secure location under controlled access as designated by the Support Services Commander.
- All recordings will be inventoried as evidence on a routine basis.

### **Collection, Preservation, and Use of Physical Evidence**

Physical evidence may be discovered, collected, and preserved during the investigation of any crime scene. Detectives will be mindful of proper evidence collection procedures and their importance in conducting a thorough investigation as defined in the "Evidence Organization and Administration" section of this policy manual.

### **Surveillance**

Surveillance may be used in an investigation of criminal activity when it is necessary to observe suspects or conditions in an undetected manner. Surveillance can often generate new or additional information about crimes or cases currently under investigation. All surveillance activity shall be accomplished in a legally sufficient manner. Except in emergency situations, all surveillance must have prior approval from the Support Services Commander.

### **Conducting Follow-up Investigations**

The following steps establish general guidelines for follow-up investigations. Not all investigative procedures are applicable in every case, and detectives should not feel restricted to only these techniques. However, when a detective is assigned to a follow-up investigation, at a minimum the following procedural guidelines should be used:

- Read and become thoroughly familiar with the incident/investigation report and all other reports filed during the preliminary investigation to determine what, if any, leads are present; begin to contemplate what actions might produce additional leads or a resolution to the case.
- Ensure that campus partners are notified and kept up to speed on the cases as they relate to students, faculty, and staff (so long as it does not interfere with the investigation.)
- Contact the victim within five working days to determine if there is any additional information and to advise them of which detective has been assigned to their case.
- View all evidence seized and, if necessary, arrange for submission to a laboratory for analysis.
- Review departmental records, computer sources such as NCIC, AOC, Linx, LeadsOnline, DCI, and DMV records for suspect information and histories.
- Contact the initial investigating officer and attempt to develop further information and clarify unclear aspects of the case.
- Re-interview the victim, witnesses, and complainants because they may have left out some important piece of information during the preliminary investigation.
- Plan, organize, and conduct searches and surveillance of places, vehicles, or persons that may have evidence linking a suspect to a crime when and where appropriate.
- Visit the crime scene as often as necessary.
- Review and evaluate the legal significance of statements, evidence, and laboratory examination findings.
- Arrange for the collection and seizure of additional physical and video evidence.
- Where appropriate, employ specialized techniques, such as physical or electronic surveillance, polygraph examinations, or computer forensic analysis.
- Disseminate information to:
  - Other detectives
  - Field operations patrol officers
  - Crime Stoppers
  - News media as directed by Chief of Police
  - North Carolina State Bureau of Investigation
  - Other law enforcement agencies in the area
- Identify the offender by:
  - Composite drawings
  - Photo line-up
  - Physical line-ups
  - Witness or informant information
  - Physical evidence
- Prepare background information on the suspect including:
  - Local agencies records check
  - NCIC record check
  - Known associates

- The potential for violence
- Information from other officers who have dealt with suspect in the past
- Information from Intelligence files and field interrogations reports
- Arrest the suspect if probable cause is determined
- Interrogate the suspect to:
  - Ascertain if others were involved
  - Determine the suspect's reason for committing the offense
  - Determine any associates of the suspect
  - Determine the location of any stolen property or other evidence in the case
  - Determine any other information the suspect may have regarding any other offenses
- Submit complete and accurate investigative reports and/or supplemental reports to the Support Services Commander and, when appropriate, the District Attorney's Office.
- Assist the District Attorney in the prosecution of the defendant.
- Ensure that recovered stolen property is returned to the legitimate owner and other evidence is disposed of according to law.
- Ensure that all victim contacts, witnesses, suspect statements, requests for assistance from another agency, and any other leads and /or other information pertinent to the investigation are documented within a supplemental report.

### **Investigative Checklists**

Field reports, when properly prepared, serve as a satisfactory checklist for most investigations; however, more complicated investigations require additional efforts. To ensure that critical areas of an investigation are not overlooked, the Support Services Commander will maintain the necessary checklists to assist in more complex investigations.

The Standard Operating Procedures Manual will also function as a preliminary checklist for specific incidents and include steps to be taken by Field Operations, Support Services, Communications, command staff, and other departments of campus.

### **Follow-Up Contact with Victim**

As a routine practice, detectives will make a second follow-up contact with the victim or complainant in an effort to secure new information overlooked or not gained previously in the investigation. Further contacts can often lead to additional investigative leads and help to reassure the victims that efforts are being made to resolve their incidents. Please ensure that if the victim is affiliated with the university, they have received outreach from the appropriate departments as it relates to their status (Dean of Students, Human Resources, Title IX, etc.)

### **Prisoner Interview Procedures**

#### Moving Prisoners for Interviews/Investigative Purposes

When it is necessary to move a prisoner from a detention facility, either for interviews or investigative purposes, or when a suspect/prisoner is taken to an interview room, the investigating officer who has custody and control of the prisoner is responsible for:

- Assisting the District Attorney's office in obtaining a writ for the temporary release of a prisoner who is not in a Guilford County facility.
- Providing the transportation of the prisoner to the department.
- Maintaining adequate supervision and control over the prisoner.

### Escorting a Prisoner to the Interview Room at the Guilford County Law Enforcement Detention Center

When an officer needs to interview a prisoner in the Greensboro facility, they will contact the on-duty Detention Services Supervisor. A detention services officer will escort the prisoner and turn the prisoner over to the investigating officer. Officers will not assume custody of a prisoner who is not handcuffed and wearing shackles.

### Use of Interview Rooms at Guilford County Jail

Any officer of the department is authorized to use the jail interview room using the following guidelines.

- At no time will a male prisoner and a female prisoner be left in the same interview room alone, nor will juveniles be held in a room with adult suspects/prisoners.
- The investigating officer will lock the prisoner in an interview room when they must leave the room. The prisoner must be handcuffed behind the back and shackled but will not be secured to a fixed object. A second officer must remain outside the interview room door until the investigating officer returns.
- No prisoner will be left completely unattended and unrestrained in an interview room.
- Restroom facilities and water fountains are accessible either inside or in the hallway just outside of the jail interview rooms.
- Officers may wear their issued handguns in the interview rooms but must ensure that they are not accessible to suspects/prisoners.
- The officer in charge of the suspect/prisoner will search them before putting them in an interview room.
- Access to the interview room and to the suspect is limited to those officers involved in the case.
- The officer in charge of the prisoner is responsible for visually checking on the detainee at least every thirty minutes.
- Each officer using an interview room is responsible for checking the room both before and after using it to ensure that there are no contraband/weapons left in the room.
- Suspect/prisoners will not be left in an interview room without the continuous supervision and control of UNCG PD personnel.