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- I. Policy

The Division expects officers to treat investigation as a skill developed through training and experience, a skill that demands intelligence, logic and discipline.

- II. Function

The criminal investigation function of this Division strives for prompt, effective and efficient investigation of all crimes and offenses which occur within our Division's jurisdiction. Both uniformed and non-uniformed officers are charged with the responsibility of the identification and apprehension of offenders which include, but is are not limited to; interviewing witnesses, collection and preservation of evidence, legal charging and court testimony. The objective of a criminal investigator is to obtain a conviction of the offender in a court of law. Investigators also engage in the pursuit of the prevention of crime through involvement in the Division's crime prevention programs.

- III. Responsibilities

Investigative Services (IS) will be responsible for follow-up investigation of the following events:

- A. Robberies
- B. Aggravated Assaults
- C. Blackmail and/or Extortion
- D. Threatening/obscene/annoying calls
- E. Missing Persons
- F. Burglary
- G. Felony Theft
- H. Hate Violence Crimes
- I. Sex Offenses
- J. Kidnapping
- K. Any other crime at the discretion of the Investigations Commander

IV. Investigative Services Notifications

- A. If the following crimes have been verified by the OIC or Watch Commander, then the on-call detective shall be notified by communications when necessary.
1. Deaths excluding motor vehicle accidents
 2. Rape and all sex offenses
 3. Aggravated assaults (including all shootings)
 4. Criminal hate-violence
 5. Kidnapping or abduction
 6. Bomb discovery or detonation
 7. Aircraft accidents
 8. Robberies
 9. Shootings
 10. Child abuse
 11. Burglaries
 12. Arson of dwellings or buildings
 13. When directed by the Investigative Services supervisor or when requested by the senior duty officer.
 14. Critically missing persons
- B. The arrest or service of warrant held by this agency for any of the crimes listed in this section requires the notification and response by an investigator.

V. Notification Procedures

The OIC or Watch Commander will ensure proper notification in an event or crime requiring the notification and response of specialized investigative support. Upon verification, the OIC or Watch Commander will contact the unit responsible by the following procedures.

- A. Montgomery County Police Specialized Investigative Units - The Watch Commander or OIC will contact the appropriate investigative unit by phone or through the MCP Communications Center.
- B. The FBI will be notified when works of art valued over \$2,000 are stolen or recovered.
- C. Medical Examiner Notifications

In every instance in which there is a death of a person outside of a medical facility, one of the Assistant Medical Examiners will be contacted for authority to remove or direct disposition of the body. Medical facilities will notify the Assistant Medical Examiner assigned to their area for those deaths of persons in their care. Often officers are advised of deaths at medical facilities which are the result of injuries for which they were being treated, or of deaths of infants. In these instances, the officer should ensure that the Assistant Medical Examiner has been notified. The Homicide/Sex Section MCPD must also be notified. If in doubt as to proper course of action, contact an investigator from the Homicide/Sex Section.

VI. Intra-departmental Communications

- A. Periodically or upon operational necessity, the investigators will attend patrol squad shift meetings. The purpose of attending these meetings will be:
 - 1. To foster an atmosphere of cooperation and open communications.
 - 2. To share specific information on criminal activity or crime trends.
 - 3. To inform patrol personnel of current investigative field activities.
 - 4. To update patrol personnel on cases forwarded to the investigators.
- B. Sworn positions in the criminal investigations component are the same as those in the patrol component for rank/titles and salary schedules. This policy will make it possible to transfer an officer from patrol to investigation or vice versa without rank or salary barriers.

VII. Investigative Task Forces

- A. The Investigative Services Commander is responsible for coordinating and planning all task force activities directed by Investigative Services, including when members of IS are requested to participate in outside agency task force operations.
- B. Task force activities will be planned before implementation. Guidelines for task force operation include:
 - 1. Identifying objectives as they relate to the purpose of the investigation.
 - 2. Defining authority and responsibilities as they concern jurisdictional boundaries and scope of authority. The responsibility for task force operations lies with the initiating agency, with assisting agencies acting in a supporting role. When members of this Division are operating under the direction of supervisors from an outside agency they will keep the Investigative Services Commander informed of their activities and abide by the rules and regulations of this Division.
 - 3. Identifying resources available for use in task force operations to include staffing, equipment, funds and time as permitted. The commitment of the divisional resources shall in no way restrict the delivery of police services to the Park system.
- C. The Investigative Services Commander shall be informed of the activities of individuals while they are participating in task force operations. This is accomplished by periodic updates addressing the continuing necessity for participation in the operation. Long term participation in task force operations is considered a specialized assignment. Documenting the continuing necessity for participation of both the officer assigned and the Division will be done as a part of the individual officer's annual performance evaluation. At the conclusion of such operations a debriefing and review session will be conducted.

VIII. Procedures used in Criminal Investigations

Patrol officers or investigators will investigate fairly and impartially all cases assigned to them for follow-up. Although no two investigations are identical in substance, there are certain standard methods that are considered in all investigations. These investigative methods include:

A. Information Development

Potential sources of information include: witnesses, victims, neighbors, relatives, other law enforcement agencies and informants. Information received from any of the above sources must be judged objectively, documented appropriately and obtained in a manner consistent with Departmental policy.

B. Interviews and Interrogations

Interviews are conducted with those individuals who may have information concerning certain aspects of an investigation. Interrogations are conducted with individuals who are suspects or those individuals who in the opinion of the investigator have been directly involved in the criminal activity in question. The number of officers permitted in the interview/interrogation room will be determined on a case by case basis by the officer in charge of the investigation. Interviews or interrogations will be conducted in a manner consistent with Departmental guidelines regarding constitutional requirements.

C. Collection, Preservation and Use of Physical Evidence

Physical evidence should be searched for, collected and preserved during the investigation of any crime scene. Investigators will be mindful of proper evidence collection procedures and its importance in the development of thorough investigations.

D. Surveillance

Surveillance may be used in the investigation of criminal activity when it is necessary to observe suspects or conditions in an unobtrusive manner. Surveillance often generates new or additional information involving crimes under investigation, creates intelligence information, and often leads to firsthand observation of criminal activity. All surveillance activity shall be accomplished in a legal manner.

IX. Release from Investigation

A. If the victim or the parent/guardian of a juvenile victim of a crime wishes to permanently suspend investigation in a case, they may do so by signing a release authorization form. Officers should make a candid inquiry as to the reason for the decision to drop the investigation to determine if there are further criminal acts being committed (i.e., the threatening of a witness).

B. Officers are under no obligation to suspend an investigation if the victim or the parent/guardian of a juvenile victim wants to suspend the investigation. The investigating officer's supervisor must review each release authorization form to ensure the appropriateness of the release authorization.

X. Compliance with Constitutional Requirements

- A. All officers, when conducting criminal investigations will take all precautions necessary to ensure that all persons involved are afforded their constitutional safeguards.
- B. Police officers will ensure that:
 - 1. All statements of confessions are of a voluntary nature and no coercion is used. It is advisable to include a statement at the end of the confession that the statement was given without any threats, promises or inducements and of the person's own free will.
 - 2. All persons under arrest and not free to leave and are to be questioned are advised of their rights.
 - 3. All arrested persons are taken in a timely manner to the Central Processing Unit where they are taken before a commissioner for formal charging.
 - 4. All persons accused or suspected of a criminal violation for which they are being interrogated are permitted to consult with an attorney, if the request is made by the defendant. If the attorney requests to see their client but the defendant has not requested an attorney, the officer does not need to notify the defendant of this.
 - 5. Prejudicial pre-trial publicity of the accused is avoided so as not to interfere with a defendant's right to a fair and impartial trial.

XI. Field Interviews

- A. The field interview is a means of collecting, preserving and disseminating information about suspicious activity of individuals and/or vehicles. Officers making temporary stops of individuals or vehicles for the purpose of conducting an investigative interview may detain a person if the officer has reasonable suspicion that the person is committing, has committed, or is about to commit a crime. The right to detain applies both to pedestrians and vehicles and may be exercised upon reasonable suspicion of a crime.
- B. A person or vehicle stopped may be detained for a reasonable period. Officers should detain a person only for the length of time necessary to obtain identification or an accounting of the person's presence or conduct. The person should be released as soon as the interview is completed unless probable cause to arrest develops. The person may be detained only at or near the scene of the stop and not moved to another location without their consent. The U.S. Constitution guarantees an individual the right to refuse to answer questions.
- C. Reasonable suspicion is more than a hunch and must be based on articulable circumstances, but is less than the probable cause necessary to effect an arrest. Reasonable suspicion coupled with the officer's experience may justify a belief that the person to be stopped has committed, is committing or is about to commit a crime. Elements which may establish reasonable suspicion include, but are not limited to the following:

1. The person fits the description of a suspect wanted for committing a crime.
2. The vehicle fits the description of a vehicle used to commit a crime.
3. The person flees at the sight of an officer.
4. The person or vehicle is seen leaving the area of a crime.
5. The person is behaving or maneuvering a vehicle in a manner indicating criminal activity.
6. The time of day or night.
7. The type of neighborhood or physical surroundings.
8. The officer's prior knowledge of the person and the person's criminal record.
9. The location where the person or vehicle was observed.
10. A field contact will be initiated when:
 - a. Persons or vehicles are observed acting in suspicious circumstances.
 - b. Persons or vehicles are observed in suspicious circumstances within high crime areas.
 - c. Contact is made with known criminals.
11. Initiation of field contact will be based on the experience and initiative of the individual officer making observations.
12. Caution will be exercised by initiating officers as to the constitutional rights of individuals being interviewed.
 - a. Justification must be established as to why this individual is being interviewed.
 - b. Delay of the individual or vehicle must be kept to a minimum unless probable cause exists to effect an arrest.
13. Photographs will be submitted with Field Contacts when practical. Still images from the In-Car Video system will be used if a digital camera is not available.

XII. Preliminary Investigations

- A. A properly conducted preliminary investigation may be sufficient to bring a case to a satisfactory conclusion, thereby eliminating the need for a follow-up investigation.
- B. The preliminary investigation begins when the first unit arrives at the scene of an incident. The activity should continue until postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.
- C. Uniform patrol officers will conduct preliminary investigations of all dispatched calls. Investigators or other specialists may be called depending on the seriousness of the crime, the staffing needed, or at the discretion of the shift supervisor.
- D. The following officer responsibilities are part of the preliminary investigation and will vary according to the crime being investigated:
 1. Provide aid to the injured, pending the arrival of emergency medical personnel.
 2. Determine if an offense has been committed, and if so, the exact nature of the offense.
 3. Protect the crime scene to ensure evidence is not lost or contaminated.
 4. Determine the identity of the suspect(s) and effect an arrest if it can be accomplished either at the scene or through immediate pursuit.
 5. Furnish other field units with descriptions, method and direction of flight of suspect(s) and other relevant information concerning wanted suspects(s) or vehicle(s).

6. Alert all units en route to the crime scene of any potentially hazardous conditions that may exist.
 7. Observe all prevalent conditions, events, and remarks and make appropriate records of the same.
 8. Obtain complete information and identification of person(s) reporting the incidents witnesses and other related persons.
 9. Arrange for the collection of evidence. All felony crime scenes should be fingerprinted. "Contamination" should not be used as an excuse not to fingerprint a crime scene.
 10. Interview and obtain statements from the victim and witnesses. An area or neighborhood canvas should be conducted when appropriate.
 11. If possible, after advisement of Constitutional rights, interrogate the suspect.
 12. Accurately and completely record all pertinent information on the prescribed report forms.
- E. It will be the responsibility of the shift supervisor to ensure that an adequate and complete preliminary investigation has been completed and to review, screen and approve the officer's report.
1. Screening should include a review of the facts stated to ensure all essential information indicating a criminal act is included.
 2. Legibility, spelling, clarity and completeness shall also be checked.
 3. The signature of the supervisor approving the report will be on each report in the proper place.
- F. Investigation of certain crimes may require the presence of investigators in plain clothes during the initial investigation.

XIII. Follow-up Investigation Assignment

- A. The Investigative Services Sergeant is responsible for reviewing all reports and deciding which are to be forwarded to detectives, which will be followed up by a patrol officer, and which will not be followed up.
- B. All reports requested by the patrol officer to be returned for follow-up will be returned if appropriate. Reports may be assigned to an investigator if the reviewing supervisor feels the investigator can more effectively handle the incident.
- C. Some factors, which will be considered by the reviewing supervisor in case assignment may include, but are not limited to:
1. Departmental experience with similar cases.
 2. Experience of other law enforcement agencies.
 3. Crime analysis and intelligence conducted by this agency.
 4. Crime analysis and intelligence conducted by other law enforcement agencies.

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- D. Consideration must also be given to available staffing when assigning cases for follow-up investigation.
1. Sufficient staffing must be available to work those cases that have the highest solvability potential or are of very serious nature.
 2. Assistance will be requested and cases worked jointly.
- E. Follow-up for robberies, aggravated assaults, missing people and burglaries are forwarded to an investigator. Theft cases will be reviewed, based upon solvability and amount of loss. Officers should contact the IS Sergeant if they feel a case other than those listed here should be followed up by an investigator.
- F. The IS Sergeant will use the following solvability factors in considering a decision on the follow up status:
1. Whether there was a witness to the crime.
 2. Whether the suspect was named.
 3. Whether the suspect was located.
 4. Whether a description of the suspect is available.
 5. Whether a suspect vehicle was identified.
 6. Whether a significant modus operandi was present.
 7. Whether fingerprints were lifted.
 8. Other details documented in the report.
- G. When the IS Sergeant decides that a case will be followed up, it will be entered into the computerized status control system. Whom the case was assigned to, when it was assigned, the case number and an action due date, will be captured in the computer.
- H. Once a case is assigned to an investigator or a patrol officer for follow-up, that person will be considered the case coordinator. This in no way limits the number of individuals assigned to an investigation.
- XIV. Conducting follow-up investigations
- A. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up investigation is to provide additional information to effect the arrest of an offender and/or recover stolen property.
- B. Patrol officers will routinely conduct follow-up investigations to increase their effectiveness, to enhance their role and to provide specialized investigators more time to concentrate on complex investigations. If a patrol officer is following up on a case which normally would be followed up by an investigator, the investigator will be advised of the case in the event that the case can be linked to other similar incidents.
- C. Cases that may be referred to specialized investigative components include:
1. Cases when the offense appears to be one in a pattern.
 2. When investigations will be required in widely located areas outside the Division's jurisdiction.
 3. Investigations that would remove the officer from their normal duties for a significant time.

4. Investigations that would be more effective if performed by specialized investigative units.
 5. All UCR Part I crimes (homicide, rape, robbery, aggravated assault, burglary, major thefts [on a case by case basis], motor vehicle thefts, arson).
- D. The following steps are presented as a guideline to be followed in conducting a follow-up investigation. Not every step is needed in every investigation.
1. Reviewing and analyzing all previous reports prepared in the preliminary phase.
 2. Conducting additional interview and interrogations.
 3. Reviewing Departmental records.
 4. Seeking additional information from patrol officers, informants, etc.
 5. Reviewing the results from the laboratory examinations, if applicable.
 6. Arranging for dissemination of information as appropriate.
 7. Planning, organizing and conducting searches.
 8. Preparing cases for court presentation and assisting in prosecution.
 9. Identifying and apprehending suspects.
 10. Collecting physical evidence.
 11. Determining involvement of suspects in other crimes.
 12. Checking suspects' criminal histories.
- E. Computer Voice Stress Analyzer (CVSA) examinations may be conducted in conjunction with administrative and criminal investigations. Only individuals trained at an accredited school in the use of CVSA will administer examinations. Tests will be conducted at the discretion of the trained examiner.
- XV. Follow-up Contact
- A. Whether the case follow-up is conducted by a uniformed officer or investigator, a "second time" contact should be made as soon as possible and within seven days after the original incident was assigned.
 - B. Contacting a victim, complainant, and/or witness for the second time, after a lapse of several days, may result in the receipt of information leading to the clearance of a case.
 - C. Maintaining this policy of "second contact" is valuable in building public confidence in the Division as well as showing that the members of this Division are genuinely concerned about the welfare of the victim and other citizens associated with the case.

XVI. Montgomery County Police Notification

Pursuant to the Memorandum of Understanding the Park Police will make notification, through the Montgomery County Communications Center, of the following incidents which will be investigated jointly by both agencies.

- A. Homicides
- B. First and Second Degree Rapes
- C. Sex offenses as indicate in MOU, Section 3.3.2
- D. Successful suicides
- E. Firearm discharges by police officer if suspect is wounded or killed
- F. Death on Park Property

XVII. Informants

- A. It is the policy of this Division to encourage the proper development and use of informants by all officers. The proper legal use of an informant can greatly help the efforts of the police officer in obtaining vital information that may be used in the furtherance of an investigation.
- B. For the purpose of this Directive, a police informant is defined as an individual who provides useful police information concerning criminal activity or intelligence information and WHO EXPECTS SOME KIND OF RETURN, and who expects their identity be kept confidential.
- C. For the security of the police officer and the informant, a system which provides confidentiality to the informant, identifies transactions and provides for lawful accountability, is essential and must be maintained.
- D. Each officer who develops an informant will contact the IS Supervisor to begin completing the necessary paperwork.

XVIII. Disposition of Cases

- A. An investigative case file will be maintained on all cases in which investigative activities are ongoing. Case files provide an immediate information resource to investigators.
 - 1. Case file should contain a copy of preliminary investigative reports, records of statements, results of examination of physical evidence, case status reports or supplements, case notes and other reports and records needed for investigative purposes.
 - 2. Case files should be kept current and as up-to-date as possible and stored in such a manner that when off duty, other investigators can find and refer to the case files if required to do so.
 - 3. Once a case has been disposed by arrest, suspension or other clearance, the case

file will be purged from the active files.

- B. An administrative designation of “active,” “inactive,” or “closed” shall be assigned to each case as appropriate.
 - 1. Cases are classified as “active” when they are or will be assigned for active investigation based on severity of crime; documented suspects; significant chances of developing leads; high solvability factors; or when the nature of the case requires immediate investigation, such as public opinion concerning particular circumstances.
 - 2. Cases are classified as “inactive” when the case, as determined by the investigator, has no means for an effective investigation or in cases where progress would be limited compared to the amount of investigation necessary to develop significant leads.
 - 3. Cases are classified as “closed” when the case is unfounded, cleared by arrest, closed administratively, or has an exceptional clearance, defined in the Uniform Crime Report Handbook.
- C. Investigations shall be periodically evaluated, using the continued application of solvability and degree of seriousness factors to the investigative workload
- D. Investigations where cases may be closed as “inactive” include, but are not limited to, cases that:
 - 1. Lack of further leads or solvability factors
 - 2. Lack of availability of investigative resources

**Approved Park Police Document
Signed Original on File**

End of Directive