

DEPARTMENT GENERAL ORDER 00-23

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 99-60/99-60A
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CRIMINAL INVESTIGATION: OPERATIONS

I. PURPOSE.

To establish standardized investigative procedures for criminal incidents. This shall include both preliminary and follow-up investigative processes, and will encompass maximizing investigative efforts while retaining the necessary degree of flexibility to deal with exigent circumstances.

II. DEFINITIONS.

Follow-up Investigation - An extension of a preliminary investigation intended to bring closure to the case by effecting the arrest of a suspect and/or recovering stolen property.

Preliminary Investigation - That investigative activity which begins at the time officers arrive on the scene of an incident, and continues until the responsibility for same is transferred to another person or unit.

III. INVESTIGATIVE RESPONSIBILITY.

It shall be the responsibility of uniformed personnel assigned to the Field Operations Bureau to conduct the majority of preliminary investigations and complete an Incident Report in regard to same. Similarly, it shall be the responsibility of detective personnel assigned to the Criminal Investigations Division to conduct the majority of follow-up investigations and document their findings via Supplemental Reports.

Exceptions to the preceding, wherein a crossover of responsibilities may occur, are listed as follows:

1. Uniformed Field Investigators are requested to assist in the processing of evidence and/or property as part of a follow-up investigation.
2. Uniformed personnel are assigned to a task force and given follow-up investigative responsibilities.
3. Detective personnel are assigned to handle a complex case (e.g. fraud, embezzlement), to include the initial complaint.
4. Detective personnel initiate a case on their own initiative.

If, during the course of a preliminary investigation, the uniformed supervisor or ranking officer determines there is a need for in-depth investigation, a detective unit shall be requested to respond to the scene. Such requests shall be forwarded to the supervisor of the Criminal Investigations Division, who, in addition to assigning an investigator to respond to the scene, may also elect to respond to assume investigative responsibility.

Should an offense take place outside of the normal duty hours for CID personnel, contact shall be initiated with either the commander or supervisor of the unit, who, upon being apprised of the situation, will authorize the recall of one (on-call detective) or more investigative personnel as circumstances require. In addition, they may elect to respond themselves and assume command responsibility for the investigation.

The transfer of command/investigative responsibility at a crime scene shall be accomplished in accordance with the provisions contained in the general order covering the "Operational Transfer of Command."

IV. INVESTIGATIVE OPERATIONS.

Criminal investigations will generally encompass a two-part process: Preliminary Investigations and Follow-up Investigations. The responsibility and procedural guidelines for each are listed as follows:

A. Preliminary Investigations

Uniformed personnel assigned to the Field Operations Bureau shall be responsible to accomplish a variety of tasks which comprise the preliminary investigative process. These are listed as follows:

1). General Observations/Activities

Officers shall establish the fact that a crime has been committed and determine its classification. Once the existence of a crime has been confirmed, the investigating officers shall note the condition of each crime scene (e.g. signs of foul play, presence of blood, location of victim, types and location of injuries, missing property, point of entry/exit, damage to victim's property, written communications, weapons, narcotics, and evidentiary items, etc.) and record same for inclusion into the Incident Report.

Similarly, the sequence of events surrounding the incident shall be determined (to the extent possible) on the basis of evidentiary material and remarks attributed to the victim, witnesses, and/or suspect(s).

Related activities shall include, but not be limited to:

- a. Summoning medical assistance if victim is injured.
- b. Summoning medical examiner if victim is deceased.
- c. Conducting immediate pursuit of the perpetrators if flight is recent and possibility of capture is likely.
- d. Providing descriptive information to communications in regard to the perpetrator, mode and direction of travel, and if the subject should be considered armed and dangerous.
- e. Arrest perpetrator, if possible.
- f. Summoning supervisory and/or technical assistance, as necessary.

2). Witness Identification

First responders shall attempt to locate and identify the victim and all witnesses to an incident. Items of identifying information which should be obtained include:

- a. Name, race, and sex.
- b. Age, and date of birth.
- c. Home address and phone number.
- d. Social security number.
- e. Business address and phone number.

As part of this process, responding officers should conduct an area canvass and interview neighbors and/or bystanders as to their knowledge of any suspicious activity which they may have observed in the vicinity.

Pedigree information on the victim and witnesses shall be included in either the initial Incident Report or a Supplement Report.

3). Interview/Interrogation Process

First responders shall interview the victim and witnesses in an attempt to develop as much information about the incident and suspect(s) as possible. Each should be interviewed separately, with notes taken in relation to individual statements. Such interviews shall subsequently be recorded in the original Incident Report or a Supplemental Report, as necessary.

In the event a suspect is taken into custody at the scene, the arresting officer must make a determination to question the individual at the scene or to convey the prisoner back to this department prior to interrogation. In each instance the prisoner shall be apprised of their constitutional rights per the Miranda decision prior to any questioning taking place. However, officers shall be alert to any spontaneous utterance the suspect may make in relation to the crime, which is admissible as evidence.

4). Protection of Crime Scene

Except where exigent circumstances (storms, life threatening circumstances, needs of victim) may preclude proper preservation efforts, officers shall protect each crime scene to the maximum extent possible. This may include the installation of a tape or other type barrier, or the posting of uniformed officers to seal the scene from unwanted intrusions.

Officers shall wear gloves and other protective garments as necessary to avoid contamination of evidence, and ingress and egress into a crime scene shall be restricted to essential department personnel. As such, on major crime scenes, a sign-in log shall be established at the perimeter of the scene and all personnel entering the area must sign in prior to being permitted entry.

There shall be no smoking, drinking, or eating within a crime scene.

At the time the scene investigation is complete, barriers shall be removed, and the area reopened to normal use. However, in the case of real property (e.g. private residence, apartment, office, etc.) same shall be secured, and/or released to the custody of a family member, guardian, property owner, or custodian.

5). Collection of Evidence

Evidence shall be collected in accordance with the General Order that addresses "Evidence Collection and Preservation."

B. Follow-up Investigations

Detective personnel assigned to the Criminal Investigations Division shall be responsible to accomplish a variety of tasks which comprise the follow-up investigative process. These are listed as follows:

1). Report Review

Each original Incident Report shall be thoroughly reviewed by the supervisor assigned to the Criminal Investigations Division prior to its assignment to a detective. High priority cases will be stamped as such. The original reporting officer will indicate in the report narrative the results of any criminal history on potential suspects, and data on any similar offenses (if known). In addition, each officer who receives a lab analysis from a forensic laboratory will review the results, document the findings in a supplemental report and forward same to CID. The initial report and any attachments (e.g. lab reports, supplemental reports, etc.) shall then be reviewed by the detective(s) assigned to investigate the case. Any substantive actions taken as a result of this review or the development of new information shall be documented, in turn, and subsequently reviewed by the division supervisor.

2). Follow-up Call Back/Interview Process

The detective(s) assigned to conduct follow-up investigations shall re-contact the principals (victim/witnesses) of each case in a timely manner. The purpose of this second contact will be to re-interview the case principals to determine if the information contained in the original report is correct and thorough; if any new leads or suspect information have been developed since the report was taken; if the victim still desires prosecution; and for the investigator to develop a degree of rapport with the principals of the case.

3). Information Development

The investigator assigned to a case shall solicit additional information, as necessary, from uniformed officers and informants in order to identify a suspect(s) and bring the case to a successful conclusion. This may also include that information developed via background investigation sources, Grand Jury subpoenas, other law enforcement agencies, or generated through computer record searches/inquiries.

4). Surveillance Activity

Upon identification of a suspect, or as an effort to suppress a rash of criminal activity in a given geographical area, directed surveillance activity may be a viable course of investigative action. As such, the following considerations shall be used as a guideline in the planning

and

execution of surveillance activities:

- a. Surveillance operations shall be executed following due consideration and/or analysis of the crime(s) in question, to include (if known): identification of the suspect(s), associates or family members of the offender(s), vehicles operated by the suspect(s), method of operation, and any firearms or other weapons which may be in the possession of the suspect(s).
- b. Surveillance operations shall be conducted in as covert a manner as possible.
- c. Surveillance operations may be conducted by detective personnel or uniformed officers temporarily assigned to the operation. In the case of the latter, such officers shall generally be in plain clothes.
- d. The supervising officer of the surveillance operation shall ensure that an adequate number of personnel are assigned to the mission, and that same are properly equipped.
- e. Except in the case of exigent circumstances, proposed surveillance operations shall be submitted to a bureau commander or the Chief of Police for approval prior to their initiation. However, this requirement is not intended to preclude uniformed patrol officers from establishing a limited and/or temporary surveillance on a suspect's vehicle, street or parking lot, property/evidence cache, apartment, residence or

other structure, which may arise in the course of their normal duties.

- f. Personnel assigned to a surveillance operation shall be briefed in advance of their deployment in regard to the area in which the operation is to be conducted, primary ingress and egress routes, targets of the surveillance, and any other considerations which may impact officer safety.
- g. Personnel assigned to a surveillance operation shall ensure that their location and activities are known to the other members of the unit.
- h. Should a surveillance mission be conducted in another jurisdiction, the operation's supervisor or commander shall ensure that the local law enforcement authorities are apprised of the purpose and location of the operation.

5). Evidence Collection, Preservation, and Use

Detectives assigned to respond to a crime scene shall generally be responsible to oversee and direct the collection and preservation of evidence by those Field Investigators present at the site. As part of this process, detective personnel shall examine the crime scene in detail and then supervise the collection of evidence in accordance with the appropriate general order.

Laboratory reports shall be reviewed by the investigating officers, with the information contained therein used to further the investigation as much as possible.

Should an investigation lead detective personnel to initiate a search, same shall be conducted in conformance to the procedures presented in the general order covering "Search and Seizure." Any evidence collected as a result of a search will be handled and/or preserved in proper fashion.

6). Suspect Identification/Criminal History

Once a suspect or suspects in a criminal investigation have been identified, the investigator(s) involved shall extend every reasonable effort to apprehend same. As part of this process, the investigator shall conduct a criminal history check on each identified suspect to determine if same has a prior criminal history, to include: the types of offenses, convictions, acts of violence, and personal information.

7). Background Investigations

As an integral part of a criminal investigation, detective personnel may find it necessary to conduct a background investigation on the suspect or suspects in the case(s) under consideration. Should background information be sought, the following will serve as a guideline to the process:

- a. Extensive criminal background investigations shall be conducted with the knowledge and consent of a supervisor or commander. Conducting a criminal history check on a suspect, interviewing co-workers, neighbors, etc., or performing other normal investigative activities in regard to a case shall not require such approval.
- b. Background investigations shall be conducted as discretely as possible.
- c. Such investigations shall be conducted to obtain as much information on a suspect or business, and their method of operation, as possible.
- d. Sources of information shall include, but not be limited to: criminal history records, license applications, DOR records, real estate records, credit history, rental/lease agreements, bank records, and interviews with family, friends, neighbors, co-workers, and employers.
- e. Information developed in the course of criminal investigations shall be treated as confidential and will not be disseminated in raw form beyond those assigned to the case or its management. Should such information be collected for intelligence purposes, same shall be secured in an intelligence file.
- f. Background information will be entered in the appropriate case file, and upon the conclusion of an investigation shall be subject to being purged in accordance with established procedure.

In addition to criminal cases, detectives assigned to the Criminal Investigations Division shall also conduct background investigations in regard to:

1. Individuals requesting liquor licenses.
2. Pre-employment checks.

The object of background investigations concerning the issuance of liquor licenses shall be to determine:

1. Persons seeking the license are of good character.
2. The individual is a citizen of the United States.
3. To determine if the person has prior criminal convictions.
4. To determine if the person has prior liquor law violations.

The object of pre-employment background investigations shall be to determine:

1. Applicant is of good character.
2. The individual is a citizen of the United States.
3. To verify the veracity of information contained within the employment application.
4. To determine if the applicant possesses a valid operator's license.
5. To determine if the individual has any prior criminal convictions which would preclude their employment.

8). Suspect Arrest/Clearance Effort

involved Following an arrest in a criminal investigation, the detective(s) shall endeavor to identify and/or clear those additional crimes for which the suspect may have been responsible. This shall primarily be accomplished through an effective interrogation process which results in the suspect confessing to the commission of additional criminal incidents.

Elements of an effective interrogation process are:

1. Interrogations should be conducted in quiet surroundings and without interruption.
2. Interrogations should be conducted by two detectives to provide corroboration of what was said.

3. Interrogation tactics should vary according to an assessment of the suspect's psychology, body language, and overall behavior.

Interrogations should end at the time a suspect decides to exercise his constitutional right to remain silent or requests legal representation.

Should a confession to other incidents be obtained, the status of such cases shall be changed to "Investigation Complete" with the UCR code altered to "Cleared by Arrest." A Supplementary Investigation report shall then be prepared to reflect each individual case's clearance.

Responsibility for the commission of an active criminal case shall not be laid to a suspect unless same is supported by an admission or other tangible evidence.

9). Periodic Contact with Case Principals

At the conclusion of an investigation, the detective(s) assigned to the case will make telephone or personal contact with the victim and/or witnesses and provide them with a report on the case's status or disposition.

10). Court Preparation

The detective(s) assigned to a criminal investigation shall study the incident and evidence reports, and otherwise prepare themselves in those instances when they are required to testify before a court or Grand Jury.

In major cases (such as a homicide) where multiple members of the department may have been actively involved, a joint review session may be conducted with all CID and other pertinent personnel in attendance.

Investigative personnel shall also dress appropriately and present themselves in a professional manner.

V. CRIMINAL INVESTIGATION CHECKLISTS.

While a properly prepared Incident Report will generally serve as a satisfactory checklist for most investigations, a written guideline (refer attachment) has been developed to

assist uniformed personnel in the preliminary investigation of more complex cases, and to ensure the proper management of crime scene investigation.

VI. HABITUAL CRIMINAL OFFENDERS.

If during the course of an investigation, information is developed to indicate that a criminal suspect or prisoner has an extensive prior history for similar offenses, either with this department or other law enforcement agencies, such information shall be documented and subsequently disseminated in accordance to the following guidelines:

A. Specification Criteria

Those incidents involving prior, persistent, or dangerous offenders shall be granted special investigative attention and resources, as current circumstances and caseload permits. The criteria governing the department's investigative treatment of a suspect as a habitual offender shall coincide with that established by RSMo 558.016 and 558.018:

- 1). Prior Offender - One who has plead guilty or been convicted of a felony charge.
- 2). Persistent Offender - One who has plead guilty or been found guilty of two or more felony charges committed at different times.
- 3). Dangerous Offender - One who has been arrested for a felony in which another person was killed, or where the suspect knowingly inflicted, or attempted, or threatened to inflict serious physical injury on another person; and the suspect has been previously convicted of a Class A or B felony, or of a dangerous felony.
- 4). Persistent Sexual Offender - One who has been previously convicted
of
a felony charge of rape, forcible rape, sodomy, forcible sodomy, or the attempt to commit any of the aforesaid.
- 5). Predatory Sexual Offender - One who has been previously convicted
of
forcible rape, rape, statutory rape in the

first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the aforesaid offenses, or the felony charges of child molestation in the first degree, or sexual abuse, or has committed an act against more than one victim.

B. Case Identification

Cases involving prior, persistent, or dangerous offenders shall be properly documented to include the fact that the suspect has prior similar offenses, the agency involved, the agency's case number, the year of the offense, and if the suspect was convicted for the offense(s) in question. Such information may be obtained through in-house, local or regional computer records, criminal exchange meetings, crime bulletins, or personal contacts. Once obtained, the information shall be included in the narrative of the police report for future reference and submission to the Prosecuting Attorney.

C. Notification of Prosecuting Attorney

At the time a criminal case is presented to the St. Louis County Prosecuting Attorney's office for warrant application, the investigating officer shall inform the Assistant Prosecuting Attorney handling the application of the offender's prior criminal history (types and numbers of prior arrests/convictions). It shall then be the responsibility of the Prosecuting Attorney to determine if the case shall be pursued as a prior, persistent, or dangerous offender case in accordance with RSMo 558.016.

VII. JOINT CRIMINAL INFORMATIONAL BRIEFINGS.

Personnel assigned to the Criminal Investigations Division will attend roll call briefings conducted for uniformed officers on a periodic basis, or as deemed necessary. Such joint roll calls will be directed toward information sharing in regard to current criminal activities, and may include, but not be limited to: the dissemination of suspect information, vehicle information, methods of operation, photographs, and instructions if the suspect is observed.

CID personnel may also engage in, or conduct, training sessions with uniformed personnel during joint roll call briefings.

VIII. INVESTIGATIVE TASK FORCES.

In those instances where it becomes necessary to create an internal departmental task force to effectively pursue an investigation, or the department elects to participate in, and/or utilize, a multi-agency task force, the following guidelines will serve to establish the basic operational tenets under which the task force will function:

A. Definition of Purpose

In those instances where the creation of an internal task force may be desired, the need, operational purpose, lines of authority, etc. of the organization shall be presented to the Commander of the Criminal Investigations Division in the form of a written proposal. The Commander of the Investigations and Support Bureau shall then be consulted, and following his approval and that of the Chief of Police, the task force will be organized and put into operation.

Should the department require and/or request the assistance/deployment of a task force comprised of personnel directed and controlled by an outside agency (e.g. Major Case Squad, Mobile Response Team, etc.), contact will be established with the organization via accepted channels and the need and purpose of the request tendered to the official(s) in command. In such instances, initial contact with these type organizations shall be initiated by the Chief of Police or his designate.

Task forces may be utilized to investigate the following types of incidents:

1. Homicides
2. Rapes and/or a series of sexual assaults.
3. Multiple robberies.
4. Multiple burglaries.
5. Missing persons/kidnappings.
6. Distribution of narcotics.
7. Miscellaneous crime operations/rings.
8. Civil disturbances.

B. Delineation of Authority/Responsibility

Internal task forces shall be under the direction and control of the Commander and/or supervisor of the Criminal Investigations Bureau. Each individual member shall be apprised as to their authority and responsibilities within the organization, and how the task force will be regulated in regard to the achievement of mission objectives.

External or inter-departmental task forces shall be under the direction and control of the command officer(s) assigned to the unit as agreed upon via written or verbal commitments between Chief Executive Officers. In those instances where command and control of an investigation is relinquished to an outside task force, the department shall serve in an advisory capacity only, and the authority and responsibility of task force personnel will be established by their own command staff.

C. Accountability

The Commander of the Criminal Investigations Division and subordinate supervisors shall be accountable for the organization and administration of an internal investigative task force, to include: the commitment and expenditure of department resources, tactical assignments, investigative objectives, proper documentation, and a mission evaluation.

Outside task forces shall be accountable to the proper authorities for their decision/actions during the full time of their deployment.

D. Resource Study/Commitment

The number and/or quantity of personnel and resources necessary to the successful operation of an internal task force shall be determined prior to the actual organization and deployment of such a unit. Should the proposed commitment of resources be extensive, or for an extended time period, same must be approved by the bureau commander and the Chief of Police.

Where an outside task force may be deployed within the City, or the department has entered into a joint task force operation, the Police Department shall provide such personnel and/or equipment resources as required.

E. Mission Evaluation

At periodic intervals during the deployment of an internal task force, the commander of the unit shall evaluate the results of the investigation and determine if same warrant the continuance of the unit. Criteria used in the

evaluation process shall include, but not be limited to:

1. Number of arrests made by task force members.
2. Reduction in offense rate or criminal activity.
3. Reduction in citizen complaints.
4. Political climate/expectations.
5. Strain on department personnel/resources.
6. Backlog of pending cases.
7. Excessive overtime expenditures.

IX. FEDERAL OFFENSE INVESTIGATIONS.

In those instances where an offense falls under federal criminal jurisdiction, employees of this department will conduct a preliminary investigation and initiate an original incident report in regard to the offense. The federal agency having legal jurisdiction over the offense shall be contacted and apprised of the incident. Upon their arrival at the scene, follow-up investigation of the case will then be relinquished to federal personnel. However, should federal investigators request this agency's assistance in performing follow-up investigation, the Commander of the Criminal Investigations Division shall assign such personnel and resources as is necessary.

In the event the federal agency declines to investigate an offense, investigators assigned to CID shall conduct a full follow-up investigation.

BY ORDER OF:

RICHARD T. MORRIS
Chief of Police

RTM:dld

CALEA Reference: 42.1.4/42.1.5/42.2.1
42.2.2/42.2.3/42.2.4
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