



Maryland-National Capital Park Police
Prince George's County Division



DIVISION DIRECTIVE

Table with 4 main rows: Title (CRIMINAL INVESTIGATION PROCEDURES), Section (Investigative Procedures), Distribution (A), Effective Date (09/01/19), Review Date (05/01/21), Replaces (PG604.0), Related Directives (PG600.0, 601.0, 604.1, 605.0, 606.0, 607.0, 621.0), References (CALEA 41, 42), Authority (S.R. Johnson, Chief Stanley R. Johnson).

I. PURPOSE

This directive establishes procedures for the notification of criminal investigators, establishes internal procedures for the operation of Investigative Operations and defines the duties and responsibilities of all officers assigned to conduct investigations.

II. DEFINITIONS

- A. Investigative Operations Manager – the Lieutenant assigned to manage Investigative Operations: Investigative Services and the Special Assignment Team (SAT).
B. Investigative Services Supervisor – the Sergeant assigned to supervise Investigative Services.
C. Special Assignment Team Supervisor – the Sergeant assigned to supervise SAT.

III. RESPONSE TO REPORTED CRIME

- A. An on-duty Investigator (or the on-call Investigator) shall be notified by Communications, the Operations Duty Officer (ODO) or senior duty officer to respond to the following crimes and incidents, if needed
1. Homicides, accidental deaths (excluding motor vehicle accidents) and suspicious deaths;

## **CRIMINAL INVESTIGATION PROCEDURES**

### **PG604.0**

2. Rape;
  3. Aggravated assaults (including all shootings);
  4. Hate-violence crime/RRE incidents (including violence or property damage);
  5. Kidnapping or abduction;
  6. Armed Robberies; and
  7. When deemed to be necessary by the Operations Duty Officer (ODO), senior duty officer, or other supervisory personnel.
- B. The Investigative Services Supervisor shall, regardless of other responding Investigators, be notified by Communications of the following crimes/incidents:
1. Homicides, accidental deaths (excluding motor vehicle accidents) and suspicious deaths;
  2. Rape;
  3. Life threatening aggravated assaults;
  4. All shootings;
  5. Criminal hate-violence incidents involving injuries;
  6. Kidnappings or abductions;
  7. Bomb discoveries or detonations;
  8. Officer involved shootings;
  9. Armed robberies; and
  10. Other crimes/incidents when on-scene Investigator or a supervisor requests assistance.

## **IV. DUTIES AND RESPONSIBILITIES**

- A. The Investigative Operations Manager, Investigative Services Supervisor and SAT Supervisor together are responsible for the effective management, administration and supervision of Investigative Operations including the employees and material assigned thereto.
- B. Investigative Operations Manager
1. The duties and responsibilities of the Investigative Operations Manager are as follows:
    - a. Approves and signs all completed case folders, investigative summaries, and reports of investigation, received from the Investigative/SAT Supervisors. Once approved, these reports are filed.
    - b. Shall appoint a supervisor to assume the duties and responsibilities outlined in this section in his/her absence.
- C. Investigative/SAT Supervisor

## CRIMINAL INVESTIGATION PROCEDURES

### PG604.0

1. The duties and responsibilities of the Investigative Supervisor are as follows:
  - a. Reviews, on a daily basis, all crime reports submitted by Division personnel.
  - b. Assigns cases to criminal investigators and/or field operations officers for follow-up investigations according to the case assignment procedures stated in the Investigative Operations Standard Operating Procedure.
  - c. Reviews all reports of investigation in compliance with the Investigative Operations Standard Operating Procedures.
  - d. Maintains a case status/control log.
    - 1) The following information shall be logged when a case is assigned:
      - Date assigned
      - Officer assigned
      - Due date
      - Incident number
      - Crime classification (Felony or Misdemeanor)
      - Incident location
      - Type of occurrence
  - e. Conducts monthly progress meetings for case presentation and discussion of the status and progress of cases in compliance with the Investigative Operations Standard Operations Procedures.
  - f. Approves and assigns all completed case folders, investigative summaries, and reports of investigation. Once approved, these reports are forwarded to the Investigative Operations Commander.
  - g. Ensures that all reports prepared by Investigators are completed within time requirements.
  - h. Ensures that all case reports are classified properly regarding closure or investigative status.
  - i. Shall appoint a subordinate investigator to assume the duties and responsibilities outlined in this section in his/her temporary absence.
  - j. Shall ensure that the Investigative Operations Standard Operating Procedure, which defines the duties and responsibilities of the Investigators, are reviewed annually and revised as necessary.

#### D. Investigators/SAT Officers/Officers

1. Investigators/SAT Officers/Officers shall be assigned to cases based on their expertise in relation to the nature of the case. The Investigative Services Supervisor will determine the number of assigned Investigators

## **CRIMINAL INVESTIGATION PROCEDURES PG604.0**

necessary for the successful completion of follow-up investigations. A primary investigator shall be designated in all cases and shall be responsible for the general organization, investigation and reporting of the case. SAT Officers will be used as secondary investigators, but may be assigned as primary if needed.

2. The duties and responsibilities of Investigators are as follows:
  - a. Shall complete a Report of Investigation on all cases assigned for follow-up investigation. Field Operations Officers assigned cases will complete a supplement report with their findings.
  - b. Shall complete a 'Report of Investigation' on all major crime cases.
  - c. Shall be familiar with the scientific and legal faculties available to aid in follow-up investigations and shall utilize them to the fullest possible extent.
  - d. Shall conduct full, thorough and professional investigations on each case assigned following the guidelines provided in the Investigative Operations Standard Operating Procedures.
  - e. Shall adhere to and enforce the procedures relating to crime scene preservation, processing and control.
  - f. Shall properly document all investigative activity relating to an assigned case and maintain all case folders and files in a neat, complete and chronological order.
  - g. Shall adhere to assigned due dates and shall confer as directed with the Investigative Services Supervisor on case statuses.
  - h. Investigative Services personnel are responsible for the initial and refresher training for trained Evidence Technicians of the Division.

### **V. CASE MANAGEMENT**

A. Cases will be assigned to an Investigator for follow-up investigation when:

1. Leads exist that were not exhausted in the preliminary investigation by the reporting officer.
2. No leads exist but, in the Investigative Services Supervisor's opinion, follow-up is warranted.
3. A particular case has a preponderance of solve-ability factors.
4. A case involves the use or theft of firearms.
5. The case indicates or is part of a continuous pattern of occurrences of such a nature warranting police action.
6. Violent action(s) is documented. These cases shall receive priority over non-violent cases.
7. The Investigative Services Supervisor and/or Commander will determine if an additional investigation is warranted, after the preliminary investigation by field operations officers has been completed.
8. Reports not assigned shall be maintained on file for a period of one year.

## CRIMINAL INVESTIGATION PROCEDURES

### PG604.0

9. Unreported crimes that come to the attention of an Investigator will be assigned based on the same criteria as reported crimes. The Investigator shall be responsible for submitting an initial report. These initial reports will only be submitted when it has been firmly established that a crime has occurred.

- B. Assigned cases shall be investigated and completed within ninety days. Investigations may be extended after approval by the Investigative Services Supervisor and upon receipt of a written memorandum and/or Supplemental Report from the Investigator requesting the extension.

## VI. CASE STATUS

Investigative Operations cases will carry the following status:

- A. **Closed** - The closure of a case relates to the use of the Uniform Crime Reporting Program and is not necessarily related to the question regarding at which point an active investigation may be administratively suspended or closed. Therefore, all cases will remain "Open" until the case is closed either by "Exception", by "Arrest", or determined to be "Unfounded". Case closure procedures and classifications are as follows:

1. **Unfounded** - This classification is applied when the investigation clearly establishes that no crime actually occurred or was attempted. The recovery of property or the refusal of a victim to prosecute an offender does not mean that a crime did not occur and in these instances the crime may not be "Unfounded". Any conclusions of "Unfounded" must be fully supported by written facts from which a reviewer will arrive at the same conclusion as the Investigator. Supplementary oral explanations should not be needed or permitted.
2. **Closed By Arrest** - This classification is applied when at least one (1) person is, (1) arrested, (2) charged with the commission of the offense, and (3) turned over to the court for prosecution (statement of charges, indictment, citations, etc.). In this category, the Uniform Crime Reporting Program would "clear" any case with only one arrest even though additional arrests are pending or contemplated. However, with this Division, these cases shall be captioned – "Closed: One Adult Arrest – Two Adult Arrests Pending". The investigation shall continue until all perpetrators are either arrested or accounted for under "Exceptional Closure" for the particular individual(s).
  - a. In those circumstances where an arrest warrant has been obtained but, is unable to be served, the case will be removed from "Open Active" status and closed by arrest with a notation "pending warrant service".

## CRIMINAL INVESTIGATION PROCEDURES

### PG604.0

3. **Closed By Exception** - This classification is used in practical situations when the police are not able to follow the three (3) steps outlined above for a case “Closed By Arrest” and yet have done everything possible in order to close the case. If all of the following questions can be answered “yes” then the case may be closed “Exceptionally”.
  - a. Has the investigation definitely established the identity of the offender(s)?
  - b. Is there enough information to support an arrest, charge and prosecution?
  - c. Is the exact location of the offender(s) known so that he/she may be taken into custody now?

An offense can be exceptionally closed when it falls into one of the following categories:

1. Suicide of the offender.
2. Double murder where the perpetrators kill each other.
3. Dying declaration – where the perpetrator dies after admitting guilt for the offense.
4. The offender is killed by police action.
5. Confession of the offender already in custody of another criminal justice agency and the agency refuses to release the offender.
6. Extradition is applied for and denied.
7. The victim refuses to cooperate in the investigation. The answer to the first three (3) questions, a-c, above must be “yes”.
8. The person(s) or agencies, ie. M-NCPPC who has suffered the loss and the offender(s) has made restitution directly to the victim(s) without charges.

4. **Multiple Closures** -
  - a. **Adults** - In cases involving multiple offenses by an adult whereby each offense provides sufficient evidence to facilitate a prosecution the Investigator/Officer will review all information with the Investigative Services Supervisor. The supervisor will make an initial determination as to the number charges to be placed against the defendant pending a review with the State’s Attorney. Those cases not prosecuted shall be closed “Exceptionally” provided they meet the established criteria.
  - b. **Juveniles** - Whenever a juvenile is arrested for multiple crimes and/or involving multiple complainants the offenses must be screened by the Juvenile Division of the State’s Attorney’s Office.

## CRIMINAL INVESTIGATION PROCEDURES

### PG604.0

To facilitate this, the juvenile arrest records must cross reference all applicable incident numbers of crime reports for which the juvenile has been identified as the perpetrator.

- c. **Active** - When an initial case report has been completed and an investigation is imminent or “actively” conducted, the case status is considered active. During this time supplement reports will be submitted.
- d. **Inactive** - When every logical avenue of investigation has been exhausted without resolution of a case, the Investigative Services Supervisor may suspend “Active” continuation of the investigation, thereby changing the case to “Inactive”. This action is not considered a closure and should not be referred to as a closure in either internal or external memoranda, conversation or reports. “Inactive” cases will be placed in an “Active” status when new information is received which would, (1) enable an Investigator to establish the identity of the suspect, (2) prepare a case acceptable for prosecution, or (3) develop the case further in order to close it under other case closure procedures.

## VII. INVESTIGATIVE REPORTS

- A. Reports of Investigations are the responsibility of the primary investigator assigned to a case.
- B. A copy of all Report of Investigation’s shall be maintained in the case file.
- C. Administrative Review
  - 1. Investigative Supervisor
    - a. Shall conduct a periodic review of all assigned case files and reports to ensure satisfactory progress toward case closure.
    - b. Shall forward all completed case reports to the Investigative Operations Commander within forty-eight (48) hours after completion and approval.
  - 2. Investigative Operations Commander
    - a. Shall review all Reports of Investigation with the Investigative Services Supervisor upon completion and on a periodic basis.

**CRIMINAL INVESTIGATION PROCEDURES**  
**PG604.0**

D. Case Files

1. Investigative Services shall maintain the investigative files for all “Active” and “Inactive” cases. These files shall contain a copy of the preliminary report and other such reports and records as needed.
2. Case files and reports will be filed by year.
3. Every three years the Commander of Investigative Services will review closed case files and determine if any need to be purged and/or digitalized.

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