

JOPLIN POLICE DEPARTMENT	9-02 STANDARD OPERATING GUIDELINE
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I. POLICY

The primary purpose of an investigation is to collect facts leading to the identification, arrest, and conviction of an offender and to organize and present the facts for a successful prosecution. The single most important criterion, which determines a successful investigation, is correctly obtaining and handling information supplied by a victim or witness after the crime. The department expects officers to treat investigations as a skill developed through training and experience, a skill that demands intelligence, logic, and discipline.

II. PURPOSE

To establish guidelines for the general conduct of preliminary and follow-up investigations.

III. DEFINITIONS

A. Major Crime Team

A team of investigators designated with specific crime scene duties to be utilized in the event of a crime, which requires several investigators to respond.

B. Unattended Death

An unattended death is one where the person apparently expired from natural causes but had not been treated by a physician for a period of 30 days preceding death or has no family physician that will sign a death certificate.

IV. PROCEDURES - PRELIMINARY INVESTIGATIONS

A. General

The preliminary investigation begins when the first officer arrives at the scene of a crime (or a citizen requests help) and continues until a specialized investigator intervenes. (42.1.4)

B. Caution

Officers who first arrive at a possible crime scene must take care not to enter hastily. The crime scene may pose a threat to the officer: an armed suspect may still be at the scene; toxic chemicals or infectious materials may be present; or evidence may be destroyed if the officer enters. When practicable, officers shall first note the total environment of the scene including, for example, whether doors and windows are open or closed, lights on or off, presence of odors, weather conditions, temperature and the condition and circumstances of the victim. (42.2.1 A)

- C. After forming an impression of the entire scene and ensuring that no threat exists, the officer shall proceed with the preliminary investigation making every effort to interview the victim, complainant, and all witnesses. Additionally, the responding officer will perform an area canvass for possible witnesses and will also determine the extent of the victim's injuries and render appropriate aid when needed. (42.2.1 B)
- D. The initial investigating officer will be responsible for detecting, maintaining, protecting, and processing evidence at the crime scene. He is also responsible for arranging for the collection of evidence. He will also be responsible for the preparation of a written report of the incident. (42.2.1 C)
- E. The initial officer will interview the complainant, witnesses and if a suspect is apprehended, the initial officer will interrogate the offender when it is acceptable. When the tasks are accomplished by the first officer or investigator, it may prove sufficient to bring a case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. (42.2.1 D)
- F. Preliminary Investigation Check List (42.2.1 A, B, C, D, 42.2.3)
1. Providing aid to the injured.
 2. Defining the boundaries of and protecting the crime scene to ensure that evidence is not lost or contaminated. Erect barricade tape, rope, or cordon off the immediate crime scene. Record any alterations to the crime scene because of emergency assistance, the immediate necessity to handle evidence, or the actions of witnesses, victims, or suspects at the scene.
 3. Determining if an offense has been committed and, if so, the exact nature of the offense.
 4. Determining the identity of the suspect or suspects and making an arrest if it can be accomplished either at the scene or through immediate pursuit.
 5. Furnishing other officers with descriptions, method, and direction of flight of suspects, and other relevant information concerning wanted suspects or vehicles.
 6. Determining the identity of all witnesses.
 7. Collecting evidence. Unless exigent circumstances exist or a supervisory officer so orders, officers conducting a preliminary investigation shall not collect evidence at major crime scenes. When appropriate, officers shall gather and document evidence, taking care to maintain the chain of custody. (83.2.1)
 8. Obtaining statements from the victim, witnesses, and suspects.
 9. Arranging for follow-up surveillance of the crime scene, if appropriate.
 10. Accurately and completely recording all pertinent information on the prescribed report forms.
- G. Patrol officers shall conduct the initial stages of all preliminary investigations, including crime scene processing. (42.1.4) (83.2.1)

In certain serious crimes as defined in Section V of this SOG a criminal investigator will be called, will respond, and will assume responsibility for completion of the investigation.

- H. As soon as the preliminary investigation is concluded by a Patrol Officer (or at the end of the officer's shift, whichever comes first), the initial field report should be completed including all information obtained at the scene of the offense. The Patrol Officer who was assigned the call will make the original report regardless as to whether an Investigator responds and takes over the investigation.
- I. Occasionally, additional investigation will be required at the end of the tour of duty of the assigned officer. In these cases, the on-duty supervisor shall determine whether the investigation should be discontinued until the assigned officer's next tour of duty or assigned to the next available officer or an investigator. If an investigator is required, the on-duty supervisor shall contact an investigator or investigator supervisor to coordinate their services.

J. Supervisory responsibilities

The on-duty supervisor shall ensure that an adequate and complete preliminary investigation has been made and shall review, screen, and approve the officer's preliminary report. Screening shall include a review of facts to ensure that all essential information is included, along with legibility, clarity, and completeness. Supervisors shall review, approve, and sign crime reports.

- 1. Supervisors shall limit access to crime scenes to those persons immediately and directly connected with the investigation. This rule applies to other officers of the department, other agencies, or members of the community, regardless of rank or position.
- 2. The supervisor shall authorize the call-out of a criminal investigator, if appropriate.
- 3. The supervisor may enlarge the preliminary crime scene if necessary, by assigning officers to canvass the area for possible witnesses or suspects.
- 4. The field supervisor shall notify the Chief of Police, Division Commander(s) and Bureau Commander if the following has occurred:
 - a. Felonious assault wherein the victim may expire
 - b. Homicide
 - c. Robbery with serious injury
 - d. On any occasion when an employee of the department is seriously injured in the line of duty.
 - e. On any occasion when an employee fires a weapon at a suspect, regardless of whether the suspect is struck.
 - f. On any occasion when a person is seriously injured because of an action by a member of this department (i.e. traffic accident, struck with a baton, etc.).
 - g. On any occasion which may be deemed a major incident that may cause the department to come under scrutiny by the news media or the public.
 - h. Other major occurrences at the discretion of the field supervisor.

V. **PROCEDURES: SERIOUS CRIMES – CRIMINAL INVESTIGATOR RESPONSE (83.2.1)**

- A. The following offenses are of a nature requiring the immediate assignment of a criminal investigator to assume responsibility for the completion of the preliminary investigation and to begin a follow-up investigation:
1. Death of a violent or suspicious nature
 2. Rapes or suspected rapes
 3. Assaults with serious injury or death to the victim
 4. Armed robberies of commercial institutions
 5. Burglaries where there is excessive loss (high dollar value, negotiables, cash, jewelry, silver, etc.)
 6. Any major disaster (where investigators can assist in identification of victims)
 7. Hostage situations
 8. Kidnappings, extortion
 9. Officer involved shooting
 10. Bombings
 11. Any criminal offense or situation for which the on duty ranking officer/supervisor believes a criminal investigator should be immediately assigned.
- B. A criminal investigator will be available 24 hour's a day to assist in an investigation or aid in the processing of a crime scene. In the event the criminal investigator on call is unavailable, a Sergeant within the Investigations Bureau will be contacted immediately for further guidance. (83.1.1)
- C. If requested by the assigned criminal investigator, the supervisor in charge of the patrol shift will direct available patrol personnel to assist with protection of crime scene, traffic, crowd control, witness canvass, etc.
- D. A supplemental report must be prepared by each officer who works on the case.

VI. PROCEDURES: MAJOR CRIME TEAM (83.2.1)

- A. The Investigations Bureau Commander will ensure that a team of investigators is designated with specific crime scene duties in the event a major felony occurs which requires several investigators to respond. Each position will have one or more alternates assigned to it. The Major Crime Team will consist of the following:
1. Coordinators - Coordinators of the Major Crime Team will be the Sergeants assigned to the investigation's bureau. One will be assigned to coordinate efforts inside the crime scene, and one will be assigned to coordinate efforts outside the crime scene. The Coordinator will:
 - a. Coordinate team efforts so that a complete and thorough investigation is accomplished.
 - b. Contact other personnel to assist with various duties as needed.

- c. Keep the Command Staff informed about the specifics of the investigation.
 - d. Continue to monitor the investigation to ensure that all leads are exhausted, and the case is properly submitted for prosecution.
 - e. Be familiar with technology available to the investigators as well as other resources that could assist in the investigation.
2. Photographers – The photographers will be familiar with the most up-to-date procedures for taking quality photographs under all conditions. The photographer’s duties include, but are not limited to:
- a. Photographing and video taping the crime scene, including bystanders and vehicles in the area.
 - b. Photographing and video taping all items relating to the crime
 - c. Documenting the photographs taken and cross referencing them with the crime scene diagram.
 - d. Observing and documenting autopsies.
3. Diagramming – The persons assigned to complete crime scene diagrams will have a working knowledge of the most professional procedures for crime scene diagramming and documentation of evidence locations. This person’s duties include, but are not limited to:
- a. Diagramming the crime scene.
 - b. Documenting within a diagram of the crime scene the location of all evidence and other pertinent information.
4. Evidence Collectors – The persons assigned to collect evidence will be familiar with the latest accepted procedures for the collection, preservation, and storage of all types of evidence, including fingerprints, trace evidence, and DNA. The evidence collector’s duties will include, but not be limited to the following:
- a. Ensure that the crime scene van gets to the crime scene when necessary.
 - b. Collect evidence after ensuring that the evidence has been photographed and, when applicable, included in a diagram.
 - c. Locate and recover latent as well as visible prints.
 - d. Take tool, foot, and tire impressions.
 - e. Ensure that all evidence is properly packaged and secured for later use in the investigation or court proceedings.
 - f. Ensure that evidence requiring laboratory analysis is tagged instructing the type of analysis to be done.

A Sergeant within the Investigations Bureau, assigned by the Commander, will ensure that the crime scene van remains operational and stocked with all necessary equipment.

5. Lead Runners – Lead runners will be those individuals assigned to follow active leads throughout the investigation. The Coordinators will assign leads.
6. Interviewers – The interviewers will know the best interview and interrogation techniques and will be proficient in their uses. They will coordinate with the Major Crime Team Coordinators to determine what interviews are to be performed and will determine the best interview strategies to fit each situation.
7. Neighborhood Canvassers – Those assigned to conduct neighborhood canvasses will be familiar with the various techniques for large and small area canvasses and searches. The canvassers should:
 - a. Be familiar with proper interviewing techniques.
 - b. Ensure that all persons in the canvass area are contacted, including those who may have been in the area on business (i.e. mailman, UPS, meter-reader, etc.)
 - c. Document in detail who was contacted and the results of each contact.

VII. PROCEDURES: FOLLOW-UP INVESTIGATIONS

- A. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to provide additional investigation to affect the arrest of an offender and/or recover stolen property.
- B. Officer or criminal investigator responsibilities of the follow-up investigation include, but are not limited to the following:
 1. It shall be the duty of the investigator, once assigned to a case for investigation, to read review and analyze all previous reports prepared during the preliminary investigation, including results from laboratory examinations. (42.2.2 A)
 2. A follow up report to the initial assignment shall be completed within 30 days of assignment. This may be extended or waived at the discretion of the investigation's supervisor.
 3. The investigator will decide to conduct any additional interviews of the victims or witnesses and to interrogate those who may be suspects in the case. (42.2.2 B)
 4. The follow-up investigator should contact personnel who may have been at the crime scene, or completed supplemental reports, to assure that as much information as possible is obtained. (42.2.2 C)
 5. The investigator shall preserve the crime scene and preserve evidence. Should the crime scene dictate, the investigator should organize searches to locate physical evidence. A supervisor will approve searches requiring overtime personnel or other extensive resources. (42.2.2 D)
 6. It shall be the responsibility of the investigator to make every effort to identify and apprehend the suspect(s) responsible for the commission of the crime being investigated. (42.2.2 E)
 7. Upon development of a suspect, the investigator should also determine if the individual is a suspect in any other crimes in Joplin, and secondly, if the individual is a suspect in a crime in another jurisdiction. (42.2.2 F)

8. The suspect's criminal history should be checked to determine involvement in similar type cases in the area. (42.2.2 G)
9. The use of a photo-lineup may be necessary to form a positive identification of the suspect.
10. Technical aids for the detection of deception, such as a polygraph may be used; only personnel certified in their use shall administer them. (42.2.6)
11. Should a suspect be identified from reports, interviews, review of evidence, or witnesses the investigator shall prepare a case summary for presentation to the prosecutor. Prior to presentation, the case will be reviewed and approved by the Bureau supervisor and/or Commander for completeness and accuracy. (42.2.2 H)

C. Career Criminals

1. A career criminal shall be defined as any person recognized by RSMo (Sections 558.016, 558.018) as a prior offender, dangerous offender, or persistent sexual offender. (42.1.5 A)
2. All felony cases assigned for follow-up investigation to the Investigations Bureau require the investigator to conduct an NCIC criminal-history check on all identified suspects where charges will be submitted to the prosecutor's office. The report that is generated will list all felony convictions on the suspect.
3. The assigned investigator shall review the criminal history check and identify all career criminals as defined in Section II.J.1. (42.1.5 B)
4. Once identified as a career criminal the investigator will ensure a thorough and expedient investigation is completed.
5. If additional resources are needed to complete the investigation the investigator will contact his supervisor to obtain them.
6. The investigator will submit a completed case report to the appropriate Prosecutor's office with the criminal history on the suspect attached. (42.1.5 C)
7. Requests from the prosecutor's office for further follow-up investigation will become a priority and every reasonable effort will be made to obtain the information and return the case to the prosecutor's office.

D. Cold Cases

1. Cold cases are Class A Felonies that are currently unsolved. Cold cases will remain classified as an open investigation where one of the following circumstances has occurred. (42.2.9 A)
 - a. Inability to develop a suspect,
 - b. Exhaustion of all leads, or
 - c. Insufficient evidence to support a criminal charge.
2. Cold cases will be evaluated under the following circumstances: (42.2.9 B)
 - a. Evidence or information becomes available to the case,

- b. Additional witnesses are located,
 - c. The advancement of new technology.
3. An investigator assigned to a cold case shall document their investigative actions in a supplemental narrative. (42.2.9 C)

E. Identity Crimes

1. After an officer takes the initial incident report of an identity crime, the case will be assigned to an investigator. (42.2.8 A, B)
2. The investigator shall assist the crime victim by providing information to contact all credit reporting agencies. (42.2.8 C)
3. The investigator may coordinate the investigation with other agencies using the Fraud Alert Notification System and the Criminal Intelligence Network. (42.2.8 D)
4. The investigator will conduct identity theft seminars to educate the public in the prevention of identity crime. (42.2.8 E)

VIII. REPORT WRITING

A. Incident reports shall include the following information:

1. Date, time of arrival at the scene.
2. Relevant weather or situational conditions at the scene upon arrival (e.g., a fire, crowd).
3. Circumstances of how the crime was discovered and reported.
4. Identity of other officers or emergency personnel at the scene.
5. Physical evidence found at the scene and the officers responsible for its collection.
6. Names, addresses, telephone numbers of victims or witnesses.
7. Results of interviews with the complainant, victim, or witnesses to include the identity or description of suspects.
8. Diagrams, sketches, photographs, or videotape taken at the scene, and the identity of the photographer or artist.

IX. SOURCES OF INFORMATION

A. General

Officers must cultivate sources of information development to draw in an investigation. Examples of possible sources are:

1. Department records, written or computerized.
2. National Crime Information Center (NCIC) or State records.

3. Non-law enforcement records such as Social Security, Social Services, DOR, Veterans Administration, Banks, Hospitals and Public Utilities

B. Informants

Information is available from many sources, e.g., concerned citizens who wish to remain anonymous, criminals who have firsthand knowledge of illegal activity, and relatives or friends of those involved in crime. These sources shall be kept in mind when conducting investigations and interviews. Officers are cautioned to determine the motivation of people who provide information to evaluate it.

C. Interviews and interrogation

1. Field interviews

Field interviews are a productive tool and source of information for the department. They shall be used only in the pursuit of legitimate enforcement goals and not to harass citizens. When used properly they can discourage criminal activity, identify suspects, and add intelligence information to the files of known criminals.

2. Victim/witness interviews

- a. Officers must recognize the trauma/stress to which the victim or witness has been subjected and shall conduct the interview in such a manner as to reduce stress.
- b. The age, physical limitations, and credibility of witnesses shall also be considered when evaluating their information.

3. Interrogation of suspects

- a. Interrogations to obtain investigative leads can be very useful, but all constitutional precautions must be taken and recorded if the interrogation is to be used in court later.
- b. For court use, a detailed report or a recorded statement shall be made of the suspects statement for court use giving time, date, location, officers present, waiver of rights, and the time the statement ended. Statements obtained during an interrogation shall not be based on coercion, promises, delays in arraignment, or deprivation of counsel. Juvenile victims, witnesses, and suspects shall be given the same constitutional protection as adults. The following additional safeguards shall be followed:
 - i. A county juvenile officer, parent or guardian shall be notified before a juvenile is interrogated. A juvenile officer and a parent or guardian must be present during the interrogation.
 - ii. The number of officers engaged in the interrogation shall be kept to a minimum.

D. Background Investigations

The Investigations Bureau may conduct background checks on persons and businesses to ensure that public safety is protected from persons who are not of good moral character. As part of the investigations, investigators may find it necessary to conduct a background investigation of a suspect. The following shall serve as guidelines for such an investigation:

1. Criminal background investigations shall be conducted as discretely as possible and under the direct knowledge of the bureau supervisor.
2. Such investigations shall be for the purpose of obtaining total familiarization of the suspect and their methods of operation.
3. Sources of information for such investigations may include but are not limited to the following:
 - a. Real estate records;
 - b. Tax records;
 - c. Credit checks;
 - d. Interviews of friends, neighbors and relatives;
 - e. Current and former employers;
 - f. Other law enforcement or governmental agencies; and
 - g. Occupational or other specialized licenses.
4. All information developed shall be treated as confidential and not disseminated beyond those directly involved in the case or its management.
5. Background checks may be conducted on those applying for a liquor license with the City of Joplin, in compliance with the Municipal Code for the City of Joplin, section 10-43.
6. Information may be recorded in an official police report with prosecution pursued, recorded in memorandum form and forwarded to the commander of the bureau of investigation for inclusion in the intelligence files, or in the case of Joplin code 10-43, forwarded in memorandum form to the city government for review of application.
7. Information secured in the intelligence file will be reviewed annually to determine whether information still serves a purpose.

E. Surveillance

Upon the identification of a suspect or suspected location involved in illegal activity, a surveillance of same may prove to be a viable investigative course of action. The following shall serve as guidelines during surveillance operations.

1. Surveillance operations shall begin with a consideration and analysis of the crime, suspected offender, associates of the offender, vehicle(s) owned and operated, method of operations and possible dangers such as weapons owned by the offender.
2. Personnel assigned to the surveillance shall be made familiar with the suspect (s) and the area, and possible routes of travel that might be taken.
3. The Bureau supervisor and/or Commander of the operations shall insure that an adequate number of personnel are used, and that communication equipment is available.
4. Based on the nature of the surveillance operation, electronic equipment will be available to assist in the investigation. The equipment will be securely stored in the Investigations Bureau. Any personnel needing access to the equipment must contact one of the investigative Sergeant's who are the only one's assigned keys to the room. An equipment

log sheet will be maintained to reflect which equipment was used and the officer using it. At the conclusion of the investigation, the equipment will be returned to the Bureau Supervisor and/or Commander to be secured and noted on the log sheet. (43.1.4)

5. The Bureau supervisor and/or Commander will ensure that the operations allow for adequate manpower for proper security and relief.

F. Collection, preservation, and use of physical evidence

Physical evidence is of major importance in all cases, particularly those without witnesses. The successful prosecution of a case often hinges on the quality of the physical evidence collected and preserved.

1. All officers are responsible for the preservation of evidence, and for maintaining and documenting the chain of custody of all evidence that is in their charge. See the Directive on Evidence and Property Management for further requirements.

X. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies, shall comply with this policy.

XI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.