



PIEDMONT POLICE DEPARTMENT

INVESTIGATIONS MANUAL

Investigation Manual

609.1 PURPOSE AND SCOPE

The purpose of this directive is to establish guidelines by which Piedmont Police Department personnel shall conduct criminal investigations. This directive establishes administrative procedures for the Investigations Bureau of the Piedmont Police Department and operational procedures for all components of the Piedmont Police Department involved in criminal investigations.

609.2 CRIMINAL INVESTIGATIONS FUNCTION

The criminal investigations function is a significant and integral part of the Piedmont Police Department's efforts to efficiently and effectively conduct investigations into criminal offenses occurring in the community. It is the function of the Piedmont Police Department Investigations Bureau to complete follow-up investigations of crimes committed within the jurisdiction of the City of Piedmont. Personnel assigned to the Investigations Bureau may include uniformed and non-uniformed police officers.

The Investigations Bureau is under the direct supervision of the Operations Captain of the Piedmont Police Department, who reports to the Chief of Police. The Investigations Bureau consists of two full-time detectives.

609.3 CASE ASSIGNMENTS FOR FOLLOW-UP INVESTIGATION

The Operations Captain shall assign cases for follow-up investigation based on available personnel and caseload considerations. In cases where specialized skills, knowledge, or training may be required, efforts will be taken to assign the case to an investigator that best meets the specific qualifications. The detective assigned to conduct a follow-up investigation shall be the principle detective and case coordinator for that investigation.

609.3.1 CASE SCREENING

All incident reports completed by Piedmont police officers are reviewed by Investigations Bureau detectives to determine the solvability of the incident through assignment for follow-up investigation. Information included in the initial incident report that supports assignment for follow up investigation includes such factors as:

- Seriousness of the incident
- Suspect is known and/or can be named
- Stolen property is traceable
- Sufficient physical evidence is recovered
- Reliable witnesses are available
- Extent of injury or property loss
- Recognition of crime trends, series, or geographic similarities

609.3.2 SUSPENSION OF INVESTIGATIVE EFFORTS

All cases assigned to Investigations Bureau personnel that are subsequently suspended or inactivated must reflect the reason for suspension. Criteria for the suspension of investigative efforts include:

- All current leads have been exhausted
- Unavailability of investigative resources on low-priority cases
- The degree of seriousness on low-priority cases
- Other circumstances subject to approval by the Investigations Bureau supervisor

609.4 DESIGNATION OF CASE MANAGEMENT/STATUS/DISPOSITION

All cases shall be assigned an appropriate administrative status designation. Administrative designations for case status are as follows:

Open - indicates further investigation is warranted. The case is assigned for further investigation and investigative efforts are active.

Suspended - indicates investigative efforts are inactive. Current leads have been exhausted, but the investigation has not been brought to a satisfactory conclusion and investigative efforts may be resumed.

Closed/Cleared - indicates the investigation has been concluded satisfactorily. One of the following UCR case dispositions must be indicated:

- “Unfounded” - indicates it’s been determined that no crime has been committed
- “Cleared by Arrest” - indicates one or more offenders have been arrested and charged by Piedmont Police Department personnel
- “Arrest By Other Agency” - indicates that another agency has arrested and charged one or more offenders in a Piedmont Police Department case
- “Death of Offender” - indicates it’s been determined who the offender is in a case, but the offender is deceased
- “Juvenile/No Custody” - indicates it’s been determined that one or more juvenile offenders have committed an offense, and if the offenders were adults would be taken into custody
- “Refused To Cooperate” - indicates the offender has been identified but prosecution is unlikely because the victim is uncooperative or unwilling to cooperate with the prosecution
- “Prosecution Declined” - indicates the offender has been identified but that prosecution has been declined by the responsible prosecutorial entity
- “Extradition Declined” - indicates an out-of-state agency has arrested an offender but extradition of the offender has been declined
- “Unfounded” - indicates by the evidence gathered that the allegation is spurious or patently without factual basis

609.5 ACCOUNTABILITY FOR CRIMINAL INVESTIGATIONS

Preliminary Investigations

Uniformed patrol officers or other first responding officers shall complete an incident report.

Investigations Bureau personnel will respond and immediately assume responsibility for the following incidents:

- Murder/suspicious death investigations (except traffic fatality)
- Rape
- Arson
- Domestic violence involving department personnel
- Major Assaults
- In-Custody Deaths/Officer Involved Shootings

This policy in no way relieves any police officer of their duty to act in circumstances in which immediate action may result in the apprehension or arrest of the offender. If the police officer conducting the preliminary investigation determines viable leads exist which may lead to the identification or arrest of a suspect or the recovery of property, the police officer shall reasonably pursue the investigation to the fullest extent, unless otherwise directed. The police officer conducting the preliminary investigation is responsible for documenting all activities taken during the course of the preliminary investigation.

Once a preliminary investigation is conducted, the case shall be forwarded to an Investigations Bureau detective.

609.6 ATTENDANCE AT FIELD OPERATIONS BUREAU SHIFT BRIEFINGS

Periodically, and upon operational necessity, Investigations Bureau personnel should attend Field Operations Bureau shift briefings. Purposes of attending these shift briefings include:

- Fostering an atmosphere of cooperation and open communication
- Sharing and exchange of specific information on criminal activities or crime trends
- Informing patrol personnel of current investigative field activities

609.6.1 FOLLOW-UP INVESTIGATIONS

All Piedmont Police Department personnel assigned to conduct investigations shall be responsible for ensuring all investigative activities are properly and thoroughly documented and included in the case file. Supplemental reports shall be submitted every twenty-one (21) working days detailing the progress of an investigation until the incident is suspended or closed.

609.6.2 PROCEDURES USED IN CRIMINAL INVESTIGATIONS

All Piedmont Police Department personnel shall conduct assigned investigations fairly and impartially. Police officers shall conduct investigations as discreetly as possible and be mindful not to endanger the reputation of any person under investigation. Investigations Bureau detectives shall make every effort to contact victims and witnesses promptly upon being assigned a case for follow-up investigation.

609.7 RESOURCES TO BE USED IN CRIMINAL INVESTIGATIONS

609.7.1 INFORMATION DEVELOPMENT – INVESTIGATIVE CONTACTS

- Victims
- Witnesses
- Neighbors
- Relatives
- Informants
- Other law enforcement agencies
- Other public agencies

609.7.2 INTERVIEWS AND INTERROGATIONS

An interview of a suspect or witness occurs when the questions being asked are not intended to lead to incriminating information. When an officer asks questions that are intended to lead to incriminating information, an interrogation has begun. Miranda warnings are required when the suspect is in custody and an interrogation is being conducted. Whenever possible, police officers should make every attempt to conduct non-custodial interviews. When custody is necessary, officers should issue Miranda warnings before an interrogation begins and only proceed with the interrogation if the suspect has knowingly and voluntarily waived his/her rights.

609.7.3 COLLECTION, PRESERVATION AND USE OF PHYSICAL EVIDENCE

Physical evidence should be searched for, documented, collected, and preserved when investigating any crime scene. Police officers investigating any criminal offense should be mindful of any physical evidence collected from a crime scene and see that it is used in the development of the case.

609.7.4 SURVEILLANCE

Surveillance may be used as an investigative tool when it is necessary to observe suspects or conditions in an unobtrusive manner. Surveillance may generate additional information concerning a crime under investigation, create intelligence information, or provide first-hand observation of criminal activity.

609.7.5 BACKGROUND INVESTIGATIONS FOR CRIMINAL INVESTIGATIONS

Criminal investigations frequently involve background investigations of individuals, particularly as they relate to white-collar crime, organized crime, and vice activities. The Piedmont Police Department shall only conduct background investigations in conjunction with a legitimate, ongoing criminal investigation. Sources of information available in conducting background investigations may include:

- Financial institutions
- Business associates
- Former employers
- Informants
- Utility companies
- Public records
- Intelligence reports
- Criminal history
- Other law enforcement agencies
- Pawn shops

All information obtained in a background investigation shall be incorporated into the criminal case file.

609.7.6 FIELD INTERVIEWS

The Piedmont Police Department encourages police officers to conduct legitimate field interviews as an investigative tool and as a crime prevention and intelligence gathering practice. The field interview is a means of collecting, preserving, and disseminating information about suspicious activity of individuals and/or vehicles. Police officers stopping individuals or vehicles for the purpose of conducting an investigative field interview may detain a person if the police officer has reasonable suspicion to believe that the person is committing, has committed, or is about to commit a crime. The right to detain applies to both pedestrians and vehicles and may be exercised upon reasonable suspicion of a crime.

Reasonable suspicion is more than a hunch. It must be based on articulable facts. Elements that help establish a police officer's reasonable suspicion may include:

- The suspicious person fits the description of a suspect wanted for committing a crime

- The vehicle being driven fits the description of a wanted suspect's vehicle
- A person flees at the sight of a police officer
- A person or vehicle is seen leaving the area of a crime
- The person is behaving or maneuvering a vehicle in a manner indicating criminal activity
- The time of day
- The type of neighborhood or physical surroundings
- The police officer's prior knowledge of the person or the person's criminal record
- The location where the person or vehicle was observed

Police officers may detain a person or vehicle for a reasonable period of time. Police officers shall, however, detain a person only for the length of time necessary to obtain identification or an accounting of the suspicious person's presence or conduct. The person should be released as soon as the interview is completed unless probable cause to arrest or search develops. A person may only be detained at or near the scene of the stop and may not be moved to another location without their consent. The individual has the right to refuse to answer questions during the investigative field interview. During an investigative field interview, no Miranda warnings are necessary because the individual is only being temporarily detained and the officer has not restricted the movement of the suspect to a degree associated with formal arrest or its functional equivalent. If the officer develops probable cause during the field interview, the suspect may be placed into custody. If the officer wishes to interview the suspect once in custody, Miranda warnings must be issued.

Situations in which a field interview may be appropriate include:

- A police officer observes persons on foot or operating vehicles under suspicious circumstances
- A police officer observes suspicious persons on foot or operating vehicles in high crime areas
- A police officer has contact with known criminals
- A police officer has reasonable suspicion as outlined above in this directive

Police officers shall document field interview contacts on Field Interview Cards in order to provide other police officers and detectives with information concerning the activities of suspicious persons.

609.8 CONDUCTING PRELIMINARY INVESTIGATIONS

Piedmont police officers conducting preliminary investigations shall follow the listed procedures as they apply to the situation:

- Observe all conditions, events, and remarks surrounding the complaint
- Locate and identify witnesses
- Secure the crime scene and protect evidence
- Interview complainants and witnesses
- Interview and interrogate suspects
- See that the crime scene is processed and all evidence is collected
- Effect the arrest of suspects
- Report the incident fully and accurately

All Piedmont Police Department personnel assigned to conduct investigations shall be responsible for seeing that all investigative activities are properly and thoroughly documented and included in the case file. If the police officer conducting the preliminary investigation determines leads exist that may lead to the identification or arrest of a suspect or the recovery of property, the police officer shall pursue the investigation to the fullest reasonable extent unless otherwise directed.

609.9 CONDUCTING FOLLOW-UP INVESTIGATIONS

All open preliminary investigations will be submitted to the Investigations Bureau for review to determine if the incident merits assignment for follow-up investigation. Investigations Bureau personnel shall conduct follow-up investigations on cases as assigned by an Investigations Bureau supervisor. Traffic officers are responsible for conducting follow-up investigations on traffic-related cases.

The following procedures shall be considered and completed as necessary when conducting follow-up investigations:

- Review and analyze all previous reports prepared in the preliminary investigation
- Conduct additional interviews and interrogations
- Review department records

- Seek additional information from available resources
- Review results from laboratory examinations
- Disseminate information as appropriate
- Plan, organize, and conduct searches
- Collect and process physical evidence
- Identify and apprehend suspects
- Check suspect's criminal histories
- Determine suspect's involvement in other crimes
- Prepare cases for court presentation
- Assist in prosecution

609.9.1 FOLLOW-UP CONTACT WITH VICTIMS AND/OR COMPLAINANTS

It is the policy of the Piedmont Police Department to make a second contact with the principal(s) involved in a case requiring follow-up investigation. A second contact is valuable in building public confidence in this agency, as well as being an indication the agency and the other officers involved are genuinely concerned about the welfare of the victim(s) and other citizens associated with a case.

The detective assigned to conduct a follow-up investigation shall make a reasonable effort to contact principals involved in a case within three (3) working days after assignment. Follow-up contact may be in person, by telephone, or by mail. The detective responsible for the follow-up should use the best available means to make contact with principals. Detectives will document follow-up contact and/or unsuccessful attempts as part of the investigative case file.

609.10 INVESTIGATIONS CHECKLIST

An investigative checklist is available and should be used to track investigative efforts in serious, complex, or lengthy investigations. Use of the checklist is generally at the discretion of the assigned detective. The Investigations Checklist is located on Piedmont Police Department's share drive.

609.11 PHOTO/PHYSICAL LINE-UPS

During the course of an investigation, it may become necessary to conduct procedures that allow witnesses to identify suspects. This is an investigative tool that is referred to as Eyewitness Identification and can be either a show-up, photo line-up, or physical line-up (refer to Alameda County's Double Blind Sequential Lineup Protocol).

609.11.1 DOCUMENTATION OF THE IDENTIFICATION PROCEDURE

The preferred method of documenting the identification procedure is a video record with audio.

Documentation, which shall be treated as evidence, shall include the following:

- Name of the administrator and eyewitness
- Date and time of the identification procedure
- Whether the administrator was blind, blinded, or non-blind. Law enforcement officials shall provide a written justification for using a live or photographic presentation other than a double-blind sequential presentation
- Names and sources of fillers used in photo and live line-ups
- In a photo or live line-up, any eyewitness identification of a filler
- All identification and non-identification results obtained during the procedure, including witness statements, signed by the witness
- If a photo line-up is developed electronically, the line-up shall be printed for documentation

609.12 INVESTIGATING MISSING PERSONS

Due to the potential for harm to come to individuals classified as missing, once a case has been assigned to a detective the detective shall contact the reporting person as soon as practical. During the ensuing interview, the detective will ensure that the reporting person is given telephone numbers and other contact information so that they may report any additional information or receive information concerning the status of the case. The exception to this requirement would be when the detective had been previously called to the scene. Any subsequent contacts are to be at the detective's discretion and are dependent upon the circumstances surrounding the individual's absence, investigative leads, and other variables unique to a particular situation.

If a member of the Piedmont Police Department locates a subject who has been reported missing or comes in contact with a person who is believed to be mentally and/or physically challenged, an elderly

individual who appears to be unable to care for themselves, or a person believed to be despondent, the locating person shall do the following:

- Attempt to locate and contact the reporting person or a responsible person (such as a relative) to whom the found person may be released
- If the individual has been entered into NCIC/DCI, ensure the found individual is removed in accordance with regulations and procedures established by these respective systems
- If there are circumstances which lead the officer or detective to believe that releasing the person would not be in the person's best interest, the officer or detective should return the person to their home, to a medical facility, or contact the Department of Social Services

If a detective locates, or is investigating a case in reference to a found juvenile and during the investigation determines or suspects any of the following unusual circumstances exist, the detective will take the youth into protective custody and notify their immediate supervisor:

- The juvenile appears to be out of the zone of safety for his/her age and/or developmental stage
- The juvenile is mentally incapacitated and not able to care for him/herself
- The juvenile is dependent on medications or other drugs and may be in physical danger if not detained
- The juvenile appears to be a victim of foul play, violence, or abuse
- The juvenile is in an environment "dangerous" to the youth based on the age and development of the child

609.13 RESPONDING TO SEXUAL ASSAULTS

Refer to Sexual Assault Investigations Policy Section 601 in the Piedmont Police Department Policy Manual.

609.14 RESPONDING TO DOMESTIC VIOLENCE

Refer to Domestic Violence Policy Section 311 in the Piedmont Police Department Policy Manual.

609.16 CHILD ABUSE INVESTIGATIONS

Refer to Child Abuse Policy Section 316 in the Piedmont Police Department Policy Manual.

609.17 OFFICER-INVOLVED SHOOTING GUIDELINES

Refer to Officer-Involved Shootings and Deaths Policy Section 305 in the Piedmont Police Department Policy Manual.

609.18 INVESTIGATION OF PROPERTY CRIMES

Preliminary Investigation

The responding officer will:

- Document the crime scene as he or she found it
- Identify witnesses and obtain statements
- Broadcast a detailed suspect description and update if more information becomes available
- Note points of entry, exit, and flight
- Note force used to enter a property or vehicle
- Note the location of broken glass
- Check glass for blood (DNA) or fingerprints
- Check points of entry for tool marks and look for tools used
- Look for gas cans or other accelerants in the case of arson
- Check the location for other possible points of contact by the suspect - suspects have been known to eat, drink, and use the bathroom
- Determine what was stolen or damaged
- Ask themselves, "Who would benefit from committing this crime?" Was this simply a crime of opportunity or was the victim targeted
- Be diligent at the crime scene and consider all possible evidentiary avenues
- Recognize you usually only get one chance at processing a scene before it is tainted
- Ensure all collected items of evidence (fingerprints, blood, clothing, tools, tool marks, shoe impressions, gas cans and accelerants, food, food packaging, etc.) are submitted for analysis

Detailed List of Stolen or Destroyed Property

- A detailed description of the stolen/destroyed property or vehicle is key to bolstering the possibility of property or damage recovery
- Prioritize serialized property or property with unique markings or descriptors
- Place all stolen serialized property into NCIC
- Be particularly detailed when describing non-serialized property - include defects and unique identifiers if any are known
- Try and obtain photos of stolen property or vehicles
- Share all the information at roll call for at least three days (this way, officers who have been off for a couple of days can learn of the crime and it will remain fresh in the mind of working officers so they remain on the lookout or you find another officer may have responded to a similar call for service)

Follow-Up Investigation

- MO - was this crime similar to any others within geographical proximity
- Check other reports and field interviews for suspicious subjects/vehicles, disturbances, neighbor complaints, etc.
- Check local pawn shops and computerized pawn shop databases, if accessible, for stolen property or possible suspect information
- Conduct a neighborhood canvass for possible witnesses or unreported incidents
- Check with known reliable informants
- Check impound lots and vehicle "chop shops"
- Check the location for surveillance video equipment
- Share all gathered information with specialized investigative units for follow-up

609.19 INVESTIGATION OF FINANCIAL CRIMES

Preliminary Investigation

The responding officer will:

- Obtain the victim's information
- Obtain any letters from banks, credit card companies, etc.
- Obtain all fraudulent or victimized account numbers
- Have victim complete and sign a FTC affidavit prior to clearing the call for service

Follow-Up Investigation for Attempted Identity Theft

- The Piedmont Police Department Investigation Bureau will place all attempted identity thefts in an inactive status.
- Note: If a victim reports multiple identity theft attempts after the first incident, the Piedmont Police Department will re-open the case in an attempt to identify any and all suspects.

Follow-Up Investigation for Felony Identity Theft

- The Piedmont Police Department Investigation Bureau will investigate each felony identity theft until a suspect has been identified, there are no further leads, or the statute of limitations has passed (three years).

Follow-Up Investigation for Misdemeanor Identity Theft

- The Piedmont Police Department Investigation Bureau will investigate each misdemeanor identity theft until a suspect has been identified, there are no further leads, or the statute of limitations has passed (one year).

Procedure Manual

The purpose of this procedural manual is to provide instructions and directions for day-to-day operations of the Investigations Bureau of the Piedmont Police Department.

DISTRICT ATTORNEY'S OFFICE CHARGING PACKETS

The Piedmont Police Department Investigations Bureau will complete a charging packet for cases which need to be reviewed by the Alameda County District Attorney's Office.

FELONY OR MISDEMEANOR CASES

Felony and misdemeanor charging packets should contain the following forms and/or documents if applicable:

- DA case disposition form
- Court complaint sheet
- Probable Cause Declaration (x3)
- CRIMS rap arrest summary
- CRIMS rap sheet summary
- CII arrest history
- Piedmont Police Department report(s) (to include all attachments, statements, property sheets, etc.)
- Probation/parole violation(s) cases get one extra copy of Piedmont Police Department report
- Co-defendant cases get one extra copy of Piedmont Police Department report per arrestee
- CVC 23152 cases should include DMV printout of arrestee
- CVC 23152 cases should include lab results of BAC (if out of custody)
- Domestic violence and assault cases should include photographs of victim's injuries

ALAMEDA COUNTY CHARGING LOCATIONS

All felony and misdemeanor cases will be charged at:

Wiley W. Manuel Courthouse - 661 Washington Street, Oakland

Domestic violence cases will be charged at:

Alameda County Family Justice Center – 470 27th Street, Oakland

Juvenile arrestee(s) will be charged at:

Juvenile Justice Center - 2500 Fairmont Drive, Suite C3071, San Leandro

REQUEST FOR LATENT EXAMINATION SERVICES

Cases where latent prints have been collected by the Piedmont Police Department are to be processed by the Alameda County Sheriff's Office Central Identification Bureau (CIB). The following steps are required to be completed when sending latent prints to CIB:

- Contact the Piedmont Police Department Property Officer and have the prints removed from the Property Room
- Update the chain of custody in LERMS
- Complete Request For Latent Examination Services form (located on the share drive)
- Provide a copy of the report and prints to CIB
- Updated the Evidence Status spreadsheet (\\Srvusers\share\Detectives\Evidence Status log.xls)

ALAMEDA COUNTY SHERIFF'S OFFICE CENTRAL IDENTIFICATION BUREAU

Prints should be taken to the following location:

1401 Lakeside Drive, Seventh Floor, Oakland

EVIDENCE SUBMISSION/ANALYTICAL SERVICES

Cases where blood/urine samples have been collected by the Piedmont Police Department shall be processed by Forensic Analytical Sciences (FAS). The following steps shall be completed when sending blood and urine samples to FAS:

- Contact the Piedmont Police Department Property Officer and have the blood/urine samples removed from the Property Room refrigerator.
- Update the chain of custody in LERMS.
- Complete the Forensic Analytical Sciences Evidence Submission/Analytical form (located on the share drive).
- Provide a copy of the report and the blood/urine sample to FAS.
- Update the Evidence Status spreadsheet (\\Srvusers\share\Detectives\Evidence Status Log.xls)

FORENSIC ANALYTICAL SCIENCES EVIDENCE

Blood/urine samples should be taken to the following location:

3777 Depot Road, Suite 409, Hayward

ALAMEDA COUNTY SHERIFF'S OFFICE REQUEST FOR CRIME LAB SERVICES

Cases where trace, firearms, and forensic biology evidence which have been collected by the Piedmont Police Department are to be processed by the Alameda County Sheriff's Office Crime Laboratory. The following steps shall be completed when sending trace, firearms, and forensic biology samples to the crime lab:

- Contact the Piedmont Police Department Property Officer and have trace, firearms, and forensic biology evidence removed from the Property Room
- Update the chain of custody in LERMS
- Complete the Alameda County Sheriff's Office Request For Crime Lab Services form (located on the share drive)
- Provide a copy of the report and the blood/urine sample to FAS
- Update the Evidence Status spreadsheet (\\Srvusers\share\Detectives\Evidence Status Log.xls)

ALAMEDA COUNTY SHERIFF'S OFFICE CRIMINALIST LABORATORY

Trace evidence, firearms, and forensic biology evidence should be taken to the following location:

2901 Peralta Oaks Court, Third Floor, Oakland

ALAMEDA COUNTY C.O.R.P.U.S CRIMINAL CASE DISPOSITION REPORT

Alameda County distributes a monthly C.O.R.P.U.S. Criminal Case Disposition Report which is a summary of law enforcement, prosecutor, and court information. The following steps shall be taken after the Piedmont Police Department has received a C.O.R.P.U.S. Criminal Case Disposition Report:

- The Piedmont Police Department Records Clerk shall scan a copy of the report into the associated case file
- The Piedmont Police Department's Adult Detective will place a hard copy of the report in a binder labeled "Monthly C.O.R.P.U.S. Criminal Case Disposition Report." (Note: the C.O.R.P.U.S. Criminal Case Disposition Report binder can be found in the PPD Adult Detective's office.)