




# COLUMBIA POLICE DEPARTMENT

*“Policing Excellence through Community Partnerships”*

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<b>Subject:</b> <i>Criminal Investigations</i>		
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## 1.0 DIRECTIVE

The Columbia Police Department will insure that all members understand the police investigative function and their role in the criminal investigation process.

## 2.0 GOALS AND OBJECTIVES

Criminal investigation is a major function of the Columbia Police Department and is dependant upon the efforts of all sworn personnel. Uniform patrol officers usually conduct preliminary investigations of criminal activities.

The Criminal Investigation components are responsible for the investigation of crimes against persons; property offenses and crime scene search/processing.

Plainclothes Investigators assigned to a Criminal Investigation component shall have the responsibility of providing follow-up investigation of reported offenses, the identification, apprehension and prosecution of offenders, and recovery of stolen property.

Patrol officers may be assigned to a Criminal Investigations component and will work on a variety of assignments that can strengthen the investigative process, enhance their career development and provide a pool of patrol officers with investigative experience. The assignment will be on a temporary basis and the patrol officers will be under the supervision of a Criminal Investigation Division Sergeant or Regional Captain.

## 3.0 WORK SCHEDULE

Each of the units of the Investigation Division provide criminal investigation and forensic services on a 24/7 basis. The basic schedule may be modified by Division supervisors to accommodate the demands of specific investigations. All Division employees are subject to call-out should a need arise.

#### **4.0 DAILY ACTIVITY REPORT**

Each Investigator and patrol officer assigned to Criminal Investigations or Region Captain shall complete a Daily Activity Report. The Daily Activity Report provides a record of performance, assigned cases, case status, and overall workload. Statistics for supervisory reports will be compiled monthly for administrative control of activities and as an aid in evaluating performance.

Daily Activity Reports shall be completed accurately, truthfully and completely. No Investigator or patrol officer shall knowingly enter or cause to be entered any inaccurate, false or improper information.

Daily Activity Reports will be turned in to the appropriate supervisor at the conclusion of each tour of duty. Unit Supervisors will review each report for accuracy and completeness. Unit Supervisors shall retain Daily Activity Reports for a period of twelve (12) months.

#### **5.0 ROLL CALL ATTENDANCE**

Investigators are required to attend periodic roll calls conducted for the uniform officers. This will enhance relationships between patrol officers and Investigators to promote the open exchange of information with Patrol personnel and encourage them to develop informants and contacts in their patrol area that will identify and keep track of suspects.

#### **6.0 INVESTIGATIVE FILING SYSTEM**

A uniform filing system shall be implemented and utilized by all units in Criminal Investigations and Regional Investigations. The Sergeant of each unit shall be responsible for the accuracy and maintenance of the case files.

##### **6.1 Case Assignment Log**

Investigations personnel shall maintain a case assignment log that will be completed daily and will identify all cases assigned or reassigned.

The case assignment log shall contain the following information:

- Date and time;
- Date first investigative report due;
- Incident number;
- Name of the complainant(s);
- Investigator assigned;
- Type Case (burglary, armed robbery, etc.); and
- Name of the Sergeant who assigned the case.

The original copy of all reports shall be maintained in the Records Unit.

All assigned cases will be recorded in the department computer by incident number, including the assigned Investigator's payroll number.

When a case has been assigned, the investigator must submit written case notes to his Sergeant for review detailing the progress of the case. The Sergeant will decide if there is sufficient evidence to continue the investigation. The decision will be made by examining solvability factors and available manpower.

Each Investigator will keep a log of assigned cases for each month. The outside of the case jacket will have the date, case number, type of crime, and any information that would reference an assigned case during that month. The information will be kept secured in the Investigator work area and immediately available to the Sergeant. The case jacket should contain copies of incident reports, statements, pictures, investigative reports and any other information pertinent to the case. Case jackets will be kept in numeric order and shall correspond with the

Monthly Record Log.

## 6.2 Case Filing System

The Investigator shall keep all files of cases under investigation, but with no suspect or warrant, for a period of six (6) months. This does not include certain crimes against persons such as murder, kidnapping, criminal sexual conduct, etc. These types of cases shall remain open indefinitely without regard to available leads.

When a suspect is arrested, the Unit Sergeant shall review the court jacket to ensure that the case is prepared to go to trial. A letter of transmittal will be signed by the Investigator and Sergeant verifying that the proper documents are in the file. A complete copy of the file shall be forwarded to the Solicitor.

All General Sessions Court Jackets will contain (if applicable):

- A copy of the incident report
- Investigative Reports
- Case notes
- A copy of lab report(s)
- Booking Report
- Miranda Warning Form
- Written confession/statements
- Consent to Search Form
- Copy of Search Warrant
- Arrest Warrant
- Vehicle Towing or Search Form
- NCIC Form
- Statements
- Criminal History Reports
- Defendant's Waiver of Rights
- Diagrams
- Photographs
- Copy of Intelligence Report

All General Sessions Court Jackets will be initialed and dated by the Unit Sergeant after receiving it from the assigned Investigator. The assigned Investigator shall be responsible for recording the trial date and the court verdict on the General Sessions Court Jacket.

## 6.3 Case File Security

The case file storage areas shall be secured at all times. Access to case files is restricted to Investigations personnel.

## 7.0 CASE MANAGEMENT

Due to the diverse nature of criminal incidents reported to the Columbia Police Department and the various complexities that develop during the criminal investigative process, a total effort by the Operations Bureau, Criminal Investigations and various support units is necessary. In order to increase effectiveness and ensure optimum utilization of resources, the investigative process is divided into preliminary and follow-up stages.

In most cases, patrol officers will conduct preliminary investigations and record basic information about the crime on an incident report that will be forwarded to the Criminal Investigations Division for follow-up investigation by an assigned Investigator.

In all murder and other major crimes incidents, an Investigator will conduct the preliminary investigation. At the scene of a major crime investigation, the assigned Investigator shall be in charge of the immediate crime scene without regard to the rank of officers present from other Divisions. Patrol officers shall be responsible for maintaining and preserving major crime scenes. The Crime Scene Investigator will be responsible for processing, collecting, and cataloging of all evidence present.

In all cases involving the counterfeiting of U.S. currency, the officer or investigator performing the preliminary investigation will immediately notify the local office of the Secret Service by contacting (803)-772-4015 (24 hours a day). This will allow the Secret Service to determine if an agent needs to be dispatched to the scene. All counterfeiting of

U.S. currency cases are under federal jurisdiction and will be prosecuted on a Federal Court level. These cases are not within the jurisdiction of the Solicitor's Office and will not be prosecuted on the state level.

## 7.1 System of Case Assignment

The Unit Sergeants shall be responsible for the assignment, control, review and results of incidents assigned to personnel under their supervision. Unit Sergeants shall be held accountable for the conduct and the results of case investigations assigned to their units.

Consideration shall be given to assigning cases requiring specialized skills, knowledge and ability to personnel having those credentials. This does not preclude assigned personnel from obtaining assistance from others who have more specialized skills.

Unit Sergeants will assign incidents with active leads for investigation. Unit Sergeants will ensure that pertinent information concerning on-going investigations is reported to the Division Commander.

Crimes against persons, particularly those that apparently involve repeat offenders, will be an assigned priority without regard to solvability factors or readily available leads.

The following incidents will be assigned without regard to available leads:

- Murder
- Armed robbery
- Criminal Sexual Conduct
- Kidnapping
- Incidents demonstrating a pattern of crime in a particular area
- Extortion
- Suicide
- Strong Armed Robbery
- Aggravated Assaults

Cases designated for follow-up investigation will be assigned to an Investigator. After reviewing the investigative report, the Unit Sergeant will approve a "cleared" closure, "administrative" closure, or "continued investigation" of the case. The Sergeant may grant extensions for a maximum period of ten (10) days. The case shall be reviewed at the end of each continuance period until it is successfully cleared or administratively closed.

The following cases will remain active until cleared, without regard to available leads:

- Murder
- Criminal sexual conduct; and
- Suspicious deaths or missing persons believed to be murder victims.

All other incidents will be worked until all available leads have been exhausted or until such time as the supervisor determines that more serious incidents require priority attention.

## 7.2 Case Status System

Cases assigned to investigators shall display a solvability factor to assist in case management and control. They include:

- AI Case status is active with leads
- AN Case status is active with no leads
- AC Case has been administratively closed. All investigative efforts have been exhausted.
- CJ Case status is cleared with adjudication pending or completed on the state or federal level.
- CR Case has been cleared due to lack of prosecution by the victim or other contributory circumstances
- CN Case has been cleared with adjudication pending or completed at the city level.

- CU Case status is cleared. Complaint is determined through investigation to be unfounded.
- JA Case status is cleared with a juvenile arrest and adjudication pending.
- JC Case status is cleared with a juvenile arrest.
- NC Case status is cleared. No criminal offense.

## **8.0 CRIMINAL INVESTIGATION PROCEDURES**

The following procedures will be followed when conducting a criminal investigation.

### **8.1 Information Development**

The development of information in a criminal investigation can be accomplished by the following means:

- Review and analyze all previous reports prepared in the preliminary investigation, noting all conditions, remarks and recorded events.
- Review any relationship between the assigned case and other similar incidents.
- Canvas neighborhood to locate and identify additional witnesses and identify suspect.
- Examine crime scene for additional evidence.
- Seek information from other officers and confidential informants.
- Review Field Interview (FI) Cards to identify possible suspect.
- Check for identifiable modus operandi (MO) to identify the suspect.

### **8.2 Surveillance**

During an investigation, it may become necessary to observe a location for indicators of illegal activity or to confirm criminal conduct.

Whether surveillance is conducted from a structure or vehicle, the safety of the police observer will be of foremost consideration in all operations. An Operation Plan will be submitted for approval prior to initiating this type of activity. This applies to non-emergency type operations that allow time for preplanning and the use of electronic or visual aids beyond ordinary binoculars.

Permission should be obtained from the property owner before entry is made into any secured premise for the purpose of establishing a base from which to operate an observation point. When possible, permission should be obtained from property owners when vehicles are parked on private property for extended periods.

Surveillance operations are conducted to verify suspected criminal activity, establish probable cause for further investigation, and verification of information given by informant or complainant. Under no circumstances will surveillance be conducted using visual or audio aids on any person in areas where the subject has an expectation of privacy as defined by the Supreme Court of the United States.

Surveillance equipment will be maintained in a secured area and will be under the control of the Captain of the Special Operations Division or his designee. The equipment will be signed out on the Equipment Log by the Investigator that will be responsible for the equipment, giving the date and time the equipment is signed out and the number of hours the equipment is needed. When the equipment is returned, it will be checked for damage and inventoried to be sure that all parts and accessories are returned and verified by the investigation supervisor on duty at the time the equipment is returned.

## **9.0 INTERVIEWS AND INTERROGATION**

Victims, complaints and witnesses will be interviewed to assist in documenting statements for case preparation and additional information.

A second contact with victims and witnesses after a lapse of several days may result in the receipt of information leading to the satisfactory clearance of the case. The exception to this would be when it is evident that no additional benefit can be obtained. Second contacts are valuable in building public confidence in the Department as well as indicating that the police are genuinely concerned about the welfare of the victim and other citizens associated with the case. Suspects should be interrogated away from their environment if possible.

In all cases, Investigators will be aware of and guided by the rights guaranteed to all citizens under the Constitution of South Carolina and the United States.

#### 9.1 Security Procedures for Interview Rooms

Investigators/officers are required to properly secure their weapons prior to entering occupied interview rooms.

The interview room shall be thoroughly searched for contraband and weapons before and after each interview. Arrestee/detainees shall be thoroughly searched before they are placed into interview rooms.

Only those investigators/officers actively involved in the investigations are allowed in the interview rooms. As a general rule only two (2) investigators will be in the room at one time.

**Under no circumstances will an individual be left unattended in an interview room.** If an investigator/officer needs to leave the room, he/she shall have another officer standby with the arrestee/detainee.

Investigators/officers shall ensure access to their Department-issued radio to request assistance should it be required.

Arrestee/detainees in interview rooms shall be afforded water and restroom breaks at least every two (2) hours.

All personnel will be familiar with the locations of fire extinguishers and building exits in the event of a fire.

Rooms used specifically for interviews and/or interrogations shall only contain minimal furnishings and are not to be used for equipment storage.

#### 9.2 Statements Collected from Non-English Speaking Persons.

When any written or recorded statements, which are material and have evidentiary value are made by a person who is non-English speaking, the following protocol will be followed:

- The statement or questioning will be through the use of a certified court interpreter; or
- The statement will be interpreted by an officer who is deemed proficient in the non-English speaking person's language.
- The statement must be verified by a certified court interpreter of that language or another CPD officer who is fluent in the language of the non-English speaking person.

### 10.0 USE OF INVESTIGATIVE LINE-UPS / SHOW-UPS

In the event a line-up is needed to assist with an investigation or to establish the identity of an individual/suspect, the Investigator shall attempt to assess the victim's or witness' level of confidence and their ability to make an identification.

Factors to consider include, but not limited to the opportunity of the victim or witness to view the perpetrator at the time of the crime, the victim's/witness' degree of attention, the accuracy of the victim's/witness' prior description of the perpetrator, the level of certainty demonstrated by the victim or witness in the identification or the length of time between the crime and the identification process.

## 10.1 Photographic Line-Up Procedures

The administering Investigator shall:

- Compose a photographic display consisting of the suspect's photograph and five other "filler" photographs of individuals of the same race, sex and similar physical characteristics. Filler photos shall be drawn from databases designated for such purposes. The photo line-up should be conducted in such a manner so that the suspect's photo does not stand out and that there is nothing unduly suggestive about the suspect's photo.
- Create a record of the line-up and its results then include it with other documents within the investigative case file. The identity of individuals depicted in filler photographs is not maintained.
- Have the victim/witness sign their name across the identified individual's photo and preserve the photo line-up for future reference whether or not identification is made and. ask the victim/witness to state, in their own words, how certain are they of any identification. The line-up will be recorded if it occurs in an Investigations interview room with recording capability.

Investigators administering or present at a photographic line-up shall not say or do anything, or otherwise provide feedback, which would distinguish the suspect from the other line-up participants. If there are multiple victims/witnesses who will be viewing the photographic line-up, each will do so separately from the others.

Prior to showing the line-up, the Investigator shall inform the following to the victim/witness:

- That they are about to view a set of photographs;
- That it is equally important to clear innocent persons from suspicion as to identify guilty parties;
- That individuals depicted in line-up photos may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change;
- That the person who committed the crime may or may not be in the set of photographs being presented;
- That regardless of whether identification is made, assuring them that Public Safety will continue to investigate the incident;

## 10.2 Physical Lineups

Physical Lineups are typically not utilized by the Police Department. If a live lineup proves necessary, precautions must be taken to ensure that officers do not influence witnesses. The basic procedures outlined for photographic lineups should be followed. Additionally, officers must be aware that subjects have a right to have counsel present during any live lineup identification procedure once they have been formally charged with a crime.

## 10.3 Show Ups

The use of show-ups may be considered as an alternative option whenever a photographic line-up is not possible. Show-ups are typically justified when other means of identification are either impractical or unavailable and no other evidence exists to hold the suspect. When exigent circumstances require the use of show-ups, the following guidelines should be followed:

- Show-ups should not be conducted with more than one witness present at a time. If the show-up is conducted separately for more than one witness, the witnesses should not be permitted to communicate before or after the show-up regarding the identification of the suspect.
- The same suspect should not be presented to the same witness more than once.
- Show-up suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
- Words or conduct of any type by officers that may suggest to the witness that the individual is or may be involved in the incident should be scrupulously avoided. Officers will not provide feedback to the witness regarding status of the suspect or the identification.
- The officer conducting a show-up will instruct the witness that the subject being presented is not necessarily the suspect of the incident and that the witness is not compelled to either positively or negatively identify the subject as the suspect in the incident. The officer will ask the witness to state their level of confidence regarding the identification.
- The witness should be transported to the location of the subject of the show-up. Under no circumstances should a suspect be transported to the scene of the incident.
- The subject of the show-up should, if practical, be taken out of a vehicle and stood up for the show-up. The witness typically should be allowed to sit in a vehicle. Officers may use lights as necessary to illuminate the subject of the show-up and reduce the ability of the subject to see the witness.
- The officer conducting the show-up will thoroughly document all aspects of the show-up to include where and how the suspect was initially located, where the show-up was conducted, description of the suspect and clothing, and the level of confidence expressed by the witness.

## **11.0 FOLLOW-UP INVESTIGATIONS**

### **11.1 Responsibilities of the Investigator Assigned to a Follow-Up Investigation**

The following procedures should be used as a guide to Investigators assigned to a follow-up investigation. These procedures should be used only in the event they are found to be necessary.

The Investigator assigned to a follow-up investigation should:

- Review and analyze all previous reports prepared in the preliminary investigation.
- Determine any relationship between assigned cases and other offenses with matching modus operandi by reviewing departmental records.
- Contact victims and witnesses for documented statements and additional information and also make a second contact after a lapse of several days. The second contact may result in the receipt of additional information leading to the satisfactory clearance of the case. It is also valuable in building public confidence in the agency.
- Examine the crime scene for additional evidence (depending on the type of crime).
- Arrange for additional examinations that may be needed for evidence removed from the scene, such as photographs or lab analysis of physical evidence.

If suspect information is available, the follow-up Investigator should (if applicable):

- Verify with the victim and witnesses the description of the suspect and record any changes or



- differences.
- Verify the suspect named in the preliminary investigation with the victim or witnesses by photo lineup or personal knowledge.
  - Arrange for a composite of the suspect by either the victim or witnesses.
  - Seek additional information from uniform officers and informants on how or where to locate the suspect.
  - Review departmental records for additional information on the suspect relevant to the case.
  - Obtain a warrant for the apprehension of the suspect and disseminate the information for the arrest of the suspect.
  - Conduct a search for the suspect and enter the suspect into NCIC (if applicable).
  - Send the warrant for the suspect to the Telephone Response Unit. A copy of the warrant will be routed to the appropriate Regional personnel. (Assignment of the warrant is dependent on the type of case. In more serious cases, the Investigator should process the warrant.)
  - Apprehend the suspect. The Investigator should interview and/or interrogate the suspect and obtain a documented statement. The Investigator should also attempt to determine the involvement of the suspect in other crimes.
  - Obtain the following evidence from the suspect, if applicable:
    - a. Fingerprints and palm prints
    - b. Photographs
    - c. Clothing
    - d. Hair samples
    - e. Body fluids (saliva, blood, semen)
  - Prepare a case file for court presentation and assist the Solicitor in any way possible with the prosecution of the case.

#### 11.2 Responsibilities of the Investigator on Call-Out Follow-Up Investigation

An Investigator called out to a follow-up investigation should record the following information:

- Type of crime.
- Identity of person who made the initial call-out.
- Date, time and weather conditions.
- The time of arrival at the scene.
- The contact officer assigned to the preliminary investigation.

The Investigator called out to a follow-up investigation should, if applicable:

- Check with the officer who conducted the preliminary investigation to see what has been done prior to his arrival. Ensure that proper departmental procedures have been properly adhered to concerning the crime scene.
- Direct photographs and measurements of the crime scene are made.
- Direct the collection and preservation of physical evidence, including a crime scene search.
- Interview all victims and witnesses and document their statements.
- Develop a suspect.
- Arrange for additional examinations that may be needed for evidence removed from the scene, photographs or lab analysis of physical evidence.

When the case has been properly disposed of, all property and evidence not being held by the Clerk of Court will be returned promptly to the owner. Items being held by the Clerk of Court's Office for future adjudication will remain there until the Court has approved release of the items. Any property or evidence that cannot be returned to the rightful owner will be disposed of according to established policies and procedures.

#### 12.0 COLD CASE INVESTIGATIONS

Generally, cold cases are major crimes such as murder, rape, or other violent crimes against persons that went unsolved in the normal course of investigation at the time they occurred. Such cases may be assigned to the Cold Case unit upon evaluation by an investigative supervisor.

#### 12.1 Cold Case Evaluation Criteria

Criteria for cold case assignment may include but are not limited to:

- If physical evidence exist or is it possible to retrieve the evidence
- If previously collected evidence can be more effectively analyzed using newly developed methods
- Reasonable access to possible suspects
- The possibility of clearing multiple cases
- If the case was not previously accepted for prosecution

#### 12.2 Cold Case Records

Cold case investigators shall maintain a written chronological record on departmentally approved forms of all actions, contacts, leads, evidence and conclusions. All documents generated in the course of the investigation shall utilize the original case number and will become a part of the permanent case file.

### 13.0 **IDENTITY THEFT**

Identity theft is defined as the unauthorized use of another's means of identification (example: name or social security number) for the purpose of committing a crime.

Many victims learn their identity has been stolen after being notified by an outside party, such as:

- Bill collection agencies contact them for overdue debts they never incurred
- Applications for a mortgage or auto loan are denied based on unknown credit history problems
- When they receive mail from an unknown employer or regarding a property they do not rent or own

Officers responding to identity theft incidents will complete an Incident Report and forward it through the Department's Records Management System (RMS) system for assignment to an investigator. Investigators may coordinate identity theft investigations with state and/or federal law enforcement agencies. Additionally, information regarding identity theft suspects can submitted to and/or distributed to other law enforcement agencies through the South Carolina Information Exchange (SCIEEx) system, operated by the SLED Intelligence Fusion center.

Identity theft victims shall be given a Victim Notification form and referred to the Victim Services Unit for information and assistance.

The Department's website shall provide information pertaining to the prevention of identity via a link to the Federal Trade Commission's information page on providing notices of identity theft and reestablishing one's identity and credit.

### 14.0 **CONSTITUTIONAL REQUIREMENTS**

#### 14.1 Advisement of Rights

Prior to interviewing or interrogating anyone in a custodial situation, the interviewee will be read aloud in its

entirety the “Advice of Rights” form.

Before any interview or interrogation begins, the suspect must indicate understanding of their Constitutional Rights. If the suspect acknowledges that he understands his Constitutional Rights but refuses to sign the form, the interrogator shall indicate the refusal on the form, sign and date it. The interrogation may still be conducted.

If the suspect indicates that they do not understand their Constitutional Rights, the interview or interrogation may not begin.

#### 14.2 Waiver of Rights by Intoxicated, Mentally Impaired, Deaf, or Non-English Speaking Persons

No officer will accept a Waiver of Constitutional Rights by any person under the influence of any drug or alcohol.

No officer will accept a Waiver of Constitutional Rights by a deaf person unless someone fluent in sign language is present to interpret or the individual can demonstrate in writing that they can read and comprehend their rights.

No officer will accept a Waiver of Constitutional Rights by a person who does not speak English without having an interpreter present.

In the event an officer wishes to interview or interrogate a suspect that the officer believes may be mentally impaired, the officer should seek advice from the Solicitor's Office according to with the Early Legal Assistance Program (ELA) regarding the suspect's ability to waive his Constitutional Rights.

#### 14.3 Arraignment

No officer will intentionally delay the arraignment of a suspect unless, in the course of the investigation, it is deemed necessary by the officer. The officer will get the approval of his supervisor for such action.

#### 14.4 Pre-Trial Publicity

Any information released to the news media concerning any case will follow the Department’s guidelines for dealing with press releases and statements.

### 15.0 CRIMINAL INTELLIGENCE

The Columbia Police Department’s gathering, storage and dissemination of criminal intelligence information is restricted to activities or persons that pose a threat to the community. The Criminal Intelligence Unit will maintain an open line of communication among members of the law enforcement community and other sources in an effort to anticipate, prevent and combat criminal activity. The Major of the Operations Bureau (or designee) will conduct an annual review of the unit’s procedures.

#### 15.1 Intelligence Information

Criminal Intelligence information is defined as specific information concerning the details of a future criminal act or the identity of persons or groups responsible for planning, executing or concealing criminal activity.

Criminal Intelligence familiarity training is conducted in the annual officer recertification course.

#### 15.2 Criminal Intelligence Files

Criminal Intelligence information is gathered from various sources, which includes, but is not limited to, Police Officers and organizations, news media and citizen informants. All collected information will be legally

obtained and reasonably established as accurate. Intelligence files will not contain details of any person's religious beliefs, political associations or sexual orientation unless it is related to criminal activity. All information collected will be classified and filed.

The permanent criminal intelligence file will consist of information that is not limited to a single event or a one-time occurrence, but is of a continually relevant nature. The permanent files include information concerning organizations known to engage in criminal activity or are associated with civil disturbances.

The temporary intelligence file will consist of information that is limited to a specific event or a one-time occurrence and is not expected to involve a continuing criminal enterprise. The temporary files include the identities of individuals responsible for specific crimes or the details of a plan to commit a criminal act. The temporary file may also contain information that does not initially meet the criteria for permanent storage but may have enough potential validity for continued investigation.

### 15.3 Security of Intelligence Files

Criminal Intelligence files will be under the control of the members of the Intelligence Unit and will be maintained in a secure environment at all times. The files will be kept locked and separate from arrest and incident reports or any other records system.

Only those law enforcement officers who can demonstrate a need to know the information will be allowed access to the files.

### 15.4 Dissemination

The members of the Criminal Intelligence Unit will review information as it is received to ensure that it meets the requirements for retention.

A copy of the information will then be forwarded to the proper Law Enforcement agency or investigating officer if it is determined that they have a legitimate need to know the information. All requests for Criminal Intelligence information will be reviewed by the Unit supervisor and must meet the need -to -know standard before any files are released.

### 15.5 Purging Records

Members of the Criminal Intelligence Unit will review the files on a periodic basis. Information that is no longer useful, inaccurate or cannot be verified will be purged from the files upon approval of the Unit supervisor. Purging may be accomplished by electronic file deletion or shredding. Individual components of the files may be affected by the State Records Retention schedule and should be purged accordingly.

### 15.6 Use of Equipment

The Criminal Intelligence unit has access to specialized intelligence gathering equipment, either owned by the Columbia Police Department or on loan from other agencies or organizations. All such equipment may be used for the purpose of gathering information in accordance with established guidelines and applicable State and Federal laws.

Officers using Intelligence gathering equipment will be trained in its safe, effective and lawful use. Equipment usage will be recorded in the Intelligence file.

**OFFICERS WILL NOT ENGAGE IN ANY ILLEGAL ACT TO OBTAIN INTELLIGENCE INFORMATION.**

### 15.7 Gang Intelligence

The Gang Unit will collect information and maintain a database on alleged gang members and gang related crimes. Inclusion on the data base must be based on information that rises to a level greater than mere suspicion. Such factors may include, but are not limited to:

- Admission of gang involvement
- Open display of gang symbols
- Information provided by family or reliable informants
- Results of a thorough investigation

### 15.8 Investigative Support

The Criminal Intelligence Unit will provide assistance to officers in obtaining mug shot and Driver's License photographs, photo lineups, criminal history reports, telephone subscriber information, and pawnshop records. The unit will provide such assistance to other Law Enforcement Agencies as resources will permit.

### 15.9 Liaison with other Agencies and Organizations

The Criminal Intelligence Unit will establish and maintain a close liaison with Federal, State, Regional and Local Law Enforcement Agencies and organizations for the purpose of facilitating the exchange of information.

## 16.0 BACKGROUND INVESTIGATIONS

The Criminal Investigation Division will conduct background investigations on individual(s) when there is reasonable suspicion to believe that the individual(s) are involved or may become involved in illegal activity. The purpose of all background investigations will be clearly established at the onset.

### 16.1 Individual Investigations

An Investigator will be assigned to conduct a background investigation on an individual when there is reasonable suspicion to believe that the individual is involved or may become involved in an illegal activity.

Close supervisory review will be maintained and the assigned Investigator will prepare a written report. A review by the assigned Investigator's supervisor will be conducted at the end of thirty (30) days to determine justification to continue the investigation.

If proper justification exists to continue the investigation, the investigation will continue and another review will be conducted in thirty (30) days. If there is no justification to continue an investigation, all information will be purged.

### 16.2 Information Sources

The following sources for investigation into backgrounds of suspected criminals and individuals connected to licensed businesses may be utilized:

- Local criminal histories, provided that all requests conform to State and Federal Law
- Court records revealing any convictions or civil dispositions
- Previous employment and business associations
- Credit checks
- Better Business Bureau
- State Consumer Affairs Department
- Any personal contacts that appear to be helpful
- Federal Bureau of Investigation File checks

- Other law enforcement and governmental agencies
- Other electronic or Internet sources

## **17.0 INVESTIGATIVE TASK FORCES**

The Chief of Police may authorize the formation of an investigative task force within the department in order to address specific criminal activities. Activities may include Narcotics violations, serial type crimes, or any other criminal activities that would necessitate the use of a task force. The Chief of Police may also authorize the use of departmental personnel in a task force formed as a mutual effort among agencies having concurrent or adjoining jurisdiction with the Department. In either case, the Chief of Police will name a member of the Command Staff to act as liaison for the task force. The coordinator will be responsible for developing an Operational Plan and After Action Report for the task force that must include the following:

- Identification of the purpose of the task force.
- Defining the authority and responsibilities of those involved.
- Establishing accountability.
- Identifying the resources to be used.
- Evaluating results and continued necessity.

## **18.0 USE OF INFORMANTS**

The use of informants by Investigators and Patrol Officers is a valuable investigative tool when properly administered. It should be remembered however, that it is a tool that is only of value when used in strict accordance to established legal precedence.

All Officers should be mindful that the protection of informants is of extreme importance to the successful completion of any investigation as well as the life of the informant. Contact Officers will use only secure 'dead' phone lines when contacting informants as an additional security measure to avoid compromising informant identity.

Specific guidelines for the use of paid informants are located in Section 02, Chapter 04 of the Directive and Procedures Manual.