

# INVESTIGATIVE PROCEDURES MANUAL



2024

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## INTRODUCTION

The purpose of this Investigative Procedures Manual is to ensure consistency and accountability for investigative activities among all investigative units. It contains procedures and inspections that have evolved over the years, as well as new information designed to meet the constantly shifting challenges of modern law enforcement.

This manual includes information on general investigative procedures and details on the operations of the various centralized investigative units. The inspection guidelines are to be considered the minimum required. Individual units may institute further inspections as they deem necessary. This manual shall be used in conjunction with the Department's Policy and Procedures Manual, Department Inspections Guide and individual Unit Operations Manuals.

This manual will be maintained and updated electronically on the LAN in the Resource Library.

It is the responsibility of managers and supervisors to ensure that all investigative personnel are aware of and comply with manual contents and all revisions.

## **CALL-BACK POLICY**

It is the policy of the Department that responding patrol officers shall manage most incidents. However, call-backs should be used to supplement the efforts of patrol personnel when necessary to provide more thorough and/or timely investigation of significant cases. To initiate call-back of specialized investigative unit personnel, the field supervisor or designee will call the Watch Commander or Field Lieutenant for the on-call supervisor's contact numbers. To initiate call-back of Area Command investigative personnel, the field supervisor or designee will contact the appropriate on-call supervisor. The supervisor or designee will be prepared to provide a sufficient briefing to the on-call supervisor to decide on whether or not to initiate a call-out. The final decision to respond to the incident will be made by the investigative supervisor.

Each investigative unit, other than area stations, shall provide the Watch Commander's Office with a current call-back list. Other call-back resources (i.e., the Lab, Property Room, Supply, etc.) should also be coordinated through the Watch Commander's Office.

Individual investigative units are responsible for ensuring investigators respond to call-backs in a timely manner. Unit operations manuals should reflect general response time guidelines.

## **CASE MANAGEMENT**

The Network Records Management System (NetRMS) is the primary management tool for reporting and tracking crime cases, arrests, collision reports, vehicle impounds, and field interviews. Commanding officers will ensure all area station investigative staff use NetRMS for tracking all assigned, open, cancelled, suspended, and late cases.

### **Case Assignment**

The investigative unit supervisor will review all cases to determine if additional investigation is necessary. The supervisor will assign the investigations requiring follow-up on a priority basis using NetRMS.

When a report does not require additional / follow-up investigation, it may be determined to be a "No Required Contact" (NRC) case. NRC cases will be closed by the Investigative Sergeant via NetRMS as, "Not Workable" / "Department Closure." If any items associated to the case were impounded, an Investigator, Police Investigate Service Officer, or Police Officer will be assigned the NRC case in NetRMS for evidence review and/or release.

All reports that have been routed for investigative follow-up through NetRMS, in which the investigation will be handled by an agency other than the San Diego Police Department, must be closed as a department closure. The outside agency shall be notified of the department closure, and a copy of all reports shall be provided to the investigating agency.

All cases must either be assigned to a detective, closed as a Department Closure, or transferred to another unit for investigative assignment.

Investigators will generally complete follow-up investigations on assigned cases within thirty calendar days from date of assignment. The investigator will deactivate cases that cannot be cancelled within thirty calendar days by completing an additional case report (i.e., a .2 report) within the case file explaining the investigative steps taken to that point and the reason for the suspension, or an investigative sergeant may grant an extension. That extension will be documented by the investigative sergeant in the Case Review section of the Detective Assignment screen.

Generally, the following cases will be assigned to an investigator for follow-up investigation:

- In-custody felony cases;
- In-custody misdemeanor cases when the suspect is also believed to be responsible for a felony crime;
- Hot prowl burglaries;
- Burglaries (residential or commercial) committed by forced entry that result in significant loss (significant loss will be determined by the unit sergeant)
- Other felony cases when:
  - A suspect is identified by name;
  - The case is connected to a series;
  - There is usable physical evidence or impounded evidence requiring evaluation and disposition;
  - Lab work is required; or,
  - An additional search of the crime scene is required;
- Gang-related felony cases;
- Safe cases;
- Sex-related crimes, both felony and misdemeanor;
- Juvenile cases, except those that are obviously unsolvable;
- Incident Reports requiring completion of a crime report;
- Any case involving the need for coordination between agencies, commands or units; or,
- Additional cases as determined by the unit sergeant. These would include (but are not limited to) felony cases when there is information pertaining to the suspect(s) address or other details, and misdemeanor crimes that require an investigative follow-up.

## **Case Review**

All investigators shall proofread their investigative reports for accuracy and completeness before signing them. Investigators shall submit completed investigative reports to their respective investigative sergeant for approval. An investigative sergeant must approve all investigative reports prior to submission to the District Attorney or City Attorney. The supervisor's review will determine that:

- All the necessary reports are properly prepared and presented to the District Attorney or City Attorney;
- The legal aspects of the case (stop, detention, search and seizure and recovery of property) are clarified by the investigator;

- The suspect(s), witness(es) and victim(s) involved in the investigation are properly identified and listed on the case, including their statements or an explanation as to why no statement was obtained; and,
- An attempt was made to interview known suspect(s). The Miranda Admonishment and the suspect's verbatim response must be documented whenever an in-custody suspect is interviewed.

Investigators are responsible for submitting approved reports to the appropriate prosecuting agency.

### **Change of Crime Case Code**

Occasionally during a follow-up investigation, the investigator determines that the violation section listed on a crime case (crime case code) is incorrect or that the facts of the case have changed and that the originally assigned crime case code is no longer accurate.

Upon discovery of an incorrect or inaccurate crime code, the investigator shall create an additional case report in the case file folder (i.e., .2, .3, .4, etc.). The investigator will open the offenses tab in the new case report, open the offense tab and overwrite the existing code with the correct offense. The investigator shall not add a new charge. The investigator must also state the specific reason for the code change in the narrative portion of the newly added case report. Un-approving and changing the original case report (.1) is not an acceptable method

### **Crime Case Clearance**

Case closure / Clearance is a three-step process.

After the investigator's final follow-up report (i.e., .2, .3, .4, etc.) has been reviewed by a Detective Sergeant, the investigator will take the following steps when clearing / closing their case.

Under the Administrative tab of their final follow-up report, the detective will select the appropriate, "Case Disposition" based on the following:

**Arrest:** An arrest was made, and the arrestee was booked into jail.

**Exception:** The case could be prosecuted (i.e., the crime has been proven and the suspect identified), but is being cancelled because of one of the following reasons:

- Death of the offender
- Prosecution has been declined
- Extradition has been denied
- Victim refused to cooperate

**Unfounded:** The investigation has proved the alleged offense never occurred.

After the investigator's follow-up has been approved within NetRMS, the investigator will then access the case file and open, "Edit Case Details." Under the "Case Status" header, the investigator will select the appropriate and corresponding case status.

- Arrest: Case folders containing an arrest, regardless if there are any outstanding suspects.
- DA Reject: Cases in which the suspect has not been arrested and the DA / CA chooses not to proceed with criminal prosecution, which could include declining to issue an arrest warrant.
- Department Closure: Criminal cases with insufficient grounds to arrest, or non-criminal events including DV incident reports (13730 PC), unsubstantiated child abuse incidents, death investigations, suicides / attempt suicides, found/lost property, 10851 recoveries by another agency, TRO collections of weapons, vehicle impounds after a pursuit, miscellaneous incident reports (981153 ZZ), traffic accidents (1181), or cases referred to an outside agency.
- Exception: Cases that have been solved with an identified suspect, but for reasons outside of law enforcement control, the suspect cannot be arrested / prosecuted.

All the following must apply:

1. The identity of the offender has been definitively established;
  2. There is enough information to support an arrest, charge and turning over to the court for prosecution;
  3. The exact location of the offender is known; AND,
  4. There is some reason outside law enforcement control that precludes arresting, charging and prosecuting the offender.
- Located Missing Person: Missing person case in which the person is located.
  - CN No Pros: Cases that will not be prosecuted for reasons other than insufficient evidence (Case does not meet issuing guidelines).
  - CI Submitted to DA: Case in which no one has been arrested, the suspect is known, and either the case has been submitted for review or an arrest warrant has been requested.
  - Suspended: To be used when the investigator has exhausted all leads and can no longer proceed with the investigation or to be used to remove the case file from the investigator's workload while awaiting results of prolonged evidence testing.
  - To City Attorney: Cases in which no one has been arrested, the suspect is known and either the case has been submitted to for review or an arrest warrant has been requested.
  - Unfounded: Cases in which a criminal incident was reported, and the investigation proved there was no violation of criminal law.

With the appropriate and corresponding status selected, the investigator will populate the "Date Closed" header with the current date and time. After doing so, the investigator will select, "Save and Close," effectively closing the case.

Reminder – Any impounded property must be released or disposed of in accordance with Department Policy and Procedures.

Confirm all impounded items have been addressed.

**Federal law establishes crime case clearance guidelines and strict adherence to these guidelines is mandatory.**

### **Investigative Follow-up Reports**

To close a case that does not meet the clearance guidelines described in the previous section, the assigned investigator will generate an additional case report (i.e., follow-up report .2, .3, .4), making changes/updates to the case report as needed. The investigator will write a narrative documenting their investigation and justifying their conclusion. When the additional case report/follow-up is approved, the investigator will change the case disposition under the “Administrative tab” of the case report, as well as the case status under “Edit Case Details” within the case file using the status definitions defined in the previous section.

Cases may be deactivated for the following reasons:

- When the allegation cannot be substantiated; address any impounded items.
- When a warrant (including warrant of arrest or notify warrant) has been requested for the suspect;
- While awaiting additional information, such as lab reports or telephone company reports;
- When the victim is uncooperative (and without the victim’s cooperation there is not enough information to support an arrest, charge and turning over to the court for prosecution in order to cancel the case exceptionally); OR
- When the detective is unable to contact the victim.

Investigative Follow-up reports will be completed for all open cases by the assigned investigator and approved by an investigative sergeant within thirty calendar days from the date of assignment. The approving investigative sergeant will ensure that approved Investigative Follow-up reports are submitted electronically through NetRMS.

Assigned investigators who complete an Investigative Follow-up, also known as Investigator’s Report, for a case or an arrest will complete and add an additional case report (i.e., a .2 report) in the case file. This is accomplished by accessing the case file through NetRMS. Once inside the case file, the investigator must select, “Add Case Report.” The Investigator will populate the report type field as, “Follow Up Report.” The investigator will then populate the report created by field with their name and ID #. The investigator must then type a report identifying the investigative steps taken to that point and provide a conclusion justifying their closure of the case.



## **Late List**

All captains, lieutenants, and detective sergeants responsible for investigative teams or units will review their respective late list at least once a month to ensure that cases are being appropriately investigated, cancelled or deactivated within thirty calendar days. The review will also include examining the appropriateness of authorized extensions. Late lists can be produced in NetRMS by using the Late List report located in the investigations reports tab.

## **Investigations Review / Inspection**

Sergeants shall conduct a monthly review of their assigned detectives' case load, ensuring cases are being evenly distributed and that cases are being completed in a timely manner. In addition, Sergeants shall now document the total number of cases over thirty days old for each assigned detective.

All Lieutenants shall conduct a monthly review of detectives' case load and the late list for detectives within their service area / investigative unit.

## **CASE PREPARATION FOR ADULT PROSECUTION**

All reports supporting the case shall be prepared in a uniform manner. When submitting felony cases for prosecution, the investigator's report will be prepared in an additional case report (i.e., .2, .3, .4, etc.)

All cases presented to the District Attorney for adult prosecution must be submitted in a D.A. folder. The folders are provided by the District Attorney's Office. A representative from the investigative unit should contact the District Attorney's Legal Support Supervisor at **(Redacted – record exempt)** to obtain the folders or the DA Liaison Unit at **(Redacted – record exempt)**.

When preparing a prosecution package, a single folder may contain one or multiple defendants for one or more related crimes. In fact, when two or more defendants are arrested or investigated for committing a criminal act together, the preference of the DA's office is that all reports be submitted in one prosecution package. If one of the suspects has committed additional crimes as well as the common crime with the codefendant(s), the additional crime cases should also be submitted in the same package, assuming that investigation is ready for prosecution review. The issuing Deputy District Attorney will determine whether to charge all crimes together or whether there are legal reasons to separate the cases.

Information regarding wall stops or a suspect's or a witness's desire, willingness or offer to cooperate with law enforcement needs to be revealed to the DA's office at the time of case submission for issuance by an Evidence Code 1040 report, or at the very least by a note to the issuing DDA that includes contact information for the investigator with the confidential information.

Intelligence files (i.e., CALGANG files), shall not be placed in District Attorney or City Attorney packages.

### **District Attorney Package**

The left side of the folder, which is not subject to Discovery, should include:

- The Witness List Form (DA 26).
- A Statement of Case-Part 1 for each defendant.
- Internal memos for the DA (such as memos expressing detective's opinion of the case)
- Any and all Evidence Code 1040 reports or notes relating to the CI or other confidential information.
- Rap sheets for the defendant when multiple defendants are included in one package CII or NCIC, (all in-county raps are re-run by the DA JURIS staff and do not need to be included).
- Rap sheets for the victim and/or witnesses if detective feels this information is important for the DA to have.
- Discussions with a prosecutor about the case can be included on the left side of the file, but these discussions should not be included in any officer's report, unless the prosecutor is a witness in the case. A prosecutor's opinions or suggestions should be considered attorney work product and are not generally discoverable.

The Witness List is a necessary part of case preparation. The information must be complete and accurate and include all witnesses, victims, law enforcement officers and lab witnesses. The lab information needs to include the barcode number of the item tested.

When listing peace officers as witnesses, the following fields should be completed:

- ID Number - Officer's ID number.
- Employer - SDPD - followed by the officer's assignment.
- Business Phone - Specific division or unit telephone number.

The right side of the folder is subject to Discovery and should include:

- The Investigator's Follow-up Report
- The Crime Report for each crime submitted for prosecution
- An arrest report for each defendant
- A rap sheet for a single defendant (CII, and/or NCIC)
- If the investigator develops any knowledge or suspicion of prior criminal history that may not appear on a records check, it is his or her responsibility to prepare a follow-up report to convey the information to the District Attorney's Office
- Any supplemental reports, including photographs and copies of all property tags from impounded property or evidence
- The investigator's business card will be stapled to the cover sheet of the right side
- A copy of the arrest warrant affidavit if not in custody

- Body Worn Camera (BWC) info
- Event History
- Lab Requests

### **City Attorney Package**

City Attorney packages for misdemeanor prosecution will usually contain copies of the crime report (if any), the arrest report and any other related documents (See above documents). **A separate package is required for each defendant.** The investigator's follow-up report and a separate witness list will be included only when further clarification of the arrest or crime is necessary.

### **CASE PREPARATION FOR JUVENILE PROSECUTION**

All cases presented to the District Attorney for juvenile prosecution must include:

- The Affidavit and Application for Filing and Juvenile Court Petition (Probation Form 419)
- The Juvenile Contact Report
- The Investigator's Follow-up Report
- BWC Info
- Event History
- Lab Requests

If a juvenile is arrested and taken to Juvenile Hall, the arresting officer must complete the affidavit and Juvenile Contact Report before booking the juvenile. During normal working hours, the officer will take a copy of the affidavit and the Juvenile Contact Report to the District Attorney's Office, Juvenile Division, for review. After normal working hours, the officer will leave two copies of the affidavit and Juvenile Contact Report with the Intake Officer at Juvenile Hall.

In cases originating at area commands, the area command investigators are responsible for the investigative follow-up. In cases originating in specialized investigative units, generally the arresting investigator will be responsible for the follow-up, unless the case assignment criteria dictate otherwise (See Department Procedure 3.01, Organization and Responsibilities of Centralized, Area and Traffic Investigations for further). The Detective Investigation section of the report must be completed electronically in NetRMS.

### **CHANGE OF CHARGE**

The investigator must state the specific reason for changing or dropping a charge in an additional case report (.2 case report) in the NetRMS Case File Folder under the narrative tab.

To change / add a charge, the investigator shall develop a new case report (.2, .3, .4, etc.). Within the new case report, the detective will open the existing offense under the offenses tab

and overwrite the exiting charge with the new/corrected charge. If there are additional offenses to be charged, the investigator will simply list those as new offenses. The investigator must also bring forward the arrestee from the .1 case report, relate the changed/additional charges to the arrestee, and make selections to the arrestee information header as appropriate for the case.

If all charges brought against an arrestee are dropped, the investigator shall make the following selections in the .2 case report:

Arrest Type\* - T Warrant/Probable Cause Arrest – Existing Case

b. JUS 750 Type\* - 3 – Other

c. LE Disposition\* - 1 -849.5 Released (No Charges Filed) (Adult Only)

It is the investigator's responsibility to provide copies of the Change of Charge form to all other units and prosecuting agencies affected.

It is also the investigator's responsibility to ensure jail personnel receive the updated information (new booking report).

When a suspect has been arrested for multiple charges and the investigator is unable to substantiate some of the charges but submits the case on the basis of at least one charge, it becomes the District or City Attorneys' responsibility to drop the remaining charges. A Change of Charge form is not submitted for those cases in which select charges are rejected. The rejection serves as the drop notice.

## **CHILD ABUSE**

The Child Abuse Unit handles the following cases:

- **Abuse cases:** Cases involving physical abuse of children under the age of eighteen (18). The Suspect must be in a position of trust (i.e., parent, babysitter, teacher, priest, etc.). The Child Abuse Unit does not handle cases where minors physically abuse other minors or injure other minors.
- **Molest cases:** Felony cases involving the molestation of a child, age thirteen (13) years and younger. The incident must have occurred within the City of San Diego. (Molest cases involving children fourteen (14) years or older are handled by the Sex Crimes Unit. Sexual assault cases involving a juvenile suspect and a juvenile victim are handled by the Area Command. Domestic violence sexual assault cases involving a juvenile suspect and a juvenile victim are also handled by the Area Command). These ages refer to the child's age at the time of reporting, not at the time of the Crime.
- **Neglect cases:** Cases involving children (less than 18 years old) who are not provided with appropriate food, shelter and care, and the neglect rises to a criminal level. The Child Abuse Unit should be consulted when there is doubt as to whether the elements of criminal neglect are present.

- Death cases: Cases involving children 17 years and younger, including infant deaths.  
Exceptions: Traffic accidents, homicides, suicides, or cases involving terminal illness (and under the care of a doctor). The Child Abuse Unit should be consulted when there is doubt as to whether a death case should be evaluated by Child Abuse Investigators.

The Child Abuse Unit **does not** handle the following cases:

- Child Stealing (Handled by the District Attorney's Child Abduction Unit)
- Child custody disputes (Should be referred to the Area Command)
- Kidnapping without sexual molest (Handled by the Area Command. Robbery Unit handles cases involving extortion or ransom)
- Missing or runaway juveniles (Handled by the Area Command JST)
- Domestic violence incidents (Handled by the Domestic Violence Unit)
- Child Pornography on Computers or other media (Handled by the ICAC unit)
- Cases of Annoying or Molesting a Child per Penal Code Section 647.6 (Area Command)

Generally, the Child Abuse Unit does not handle DUI cases or narcotic cases where there are children present during the commission of the crime and the arresting officers determine that the children are endangered by their mere exposure to the hazardous nature of the crime itself (e.g., children riding in a car when the driver is arrested for DUI; children present during a narcotics search warrant etc.).

Investigative responsibility in these cases generally rests with the command responsible for investigating the primary crime (i.e., the DUI, the drug possession charge etc.). In some isolated circumstances, where there is evident history of ongoing abuse or neglect in the home or family, the Child Abuse Unit may evaluate the case for further investigation. When doubt exists as to whether a specific case should be forwarded to the Child Abuse Unit for evaluation, a Child Abuse supervisor should be consulted.

Refer to the Resource Library> User Guide> Child Abuse Incidents for detailed information.

### **CHILD CONCEALING/STEALING**

Area command investigators shall investigate all child-concealing cases. Since child concealment cases are often the result of disputes over court orders, the case may require the analysis of legal documents. The following procedures will generally apply:

- The investigator must determine if the child is safe and measures have been taken to ensure the child's protection and welfare.  
The investigator shall contact the District Attorney's Child Abduction Unit, which is available 24 hours a day. Their number is **(Redacted – record exempt)**.
- After consulting the District Attorney's Child Abduction Unit, the investigator will refer the complainant to that office to complete the necessary forms confirming legal custody of the child(ren) involved.

- All reports completed by San Diego Police Department personnel will be forwarded to the District Attorney's Child Abduction Unit by an investigative sergeant.

Once custody has been determined, the District Attorney's Child Abduction Unit will determine if a warrant of arrest should be issued and whether further police involvement is necessary.

If an arrest for child concealment has been made, the investigator should contact the District Attorney's Child Abduction Unit immediately to help avoid second day issuing problems.

Investigations involving neglect, abuse, and/or in-house molestation will be conducted by the San Diego Police Department's Child Abuse Unit.

The District Attorney's Office has primary jurisdiction in child stealing cases.

### **COMPLAINT REQUEST EVALUATION FORM (CRE)**

When a case is submitted to the District Attorney for issuing and further investigative follow-up is required, the issuing Deputy District Attorney will complete a Complaint Request Evaluation Form (CRE) requesting the additional information or stating the reason(s) that the case will not be issued. The form is returned to the investigator via his or her supervisor. If additional follow-up is required, that information must be completed on an Investigator's Follow-up Report Form and returned by the due date stated on the Complaint Request Evaluation Form. The required follow-up information shall not be written on the CRE Form. All information on the CRE is confidential and for the use of the District Attorney and law enforcement agencies only.

### **CRE Routing**

Complaint Request Evaluation Forms shall be forwarded to the designated investigator via their supervisor. All investigative supervisors shall maintain a CRE "tickler" file noting the CRE due date. Supervisors will ensure that all CRE's are completed by the due date.

### **CRE Categories**

Complaint Filed, Additional Information Needed: A complaint is filed charging the defendant, however additional information is needed. The requested work must be completed and returned within five court days. This information will be needed for the Readiness Conferences and Preliminary Hearings.

Rejected, Further Investigation Needed: A complaint is NOT being filed charging the defendant at this time because further investigation is requested. The requested work must be completed and returned by the date stamped on the CRE, usually fifteen court days. Additionally, if the suspect is no longer in custody, the investigator must also include an affidavit in support of an arrest warrant.

Rejected: A complaint is not being issued against the defendant. If all charges brought against an arrestee are dropped/rejected, the investigator shall make the following selections in the .2 case report:

Arrest Type\* - T Warrant/Probable Cause Arrest – Existing Case

b. JUS 750 Type\* - 3 – Other

c. LE Disposition\* - 1 -849.5 Released (No Charges Filed) (Adult Only) Address any items impounded.

Redirected: The District Attorney's Office is referring the case to another prosecutorial agency, usually the City Attorney's Office for misdemeanor prosecution. Occasionally, cases may be referred to other agencies such as Parole, Probation, or Military Police.

When the investigator has completed the request, is unable to provide the information requested on the CRE or will be unable to complete the investigation in the requested time frame, that information will be forwarded to the DA Liaison Officer (**Redacted – record exempt**) along with the CRE form, after approval by the investigative unit supervisor.

### **CRIMES AGAINST A PEACE OFFICER**

In all cases where an officer is the victim of a crime, the Crimes Against Peace Officers (CAPO) team of the District Attorney's Office will have initial prosecutorial consideration. All on-duty and off-duty crimes against police officers may be prosecuted by the CAPO Unit. The CAPO unit will normally prosecute all felonies. They retain discretion to move the prosecution to another DA unit or to the City Attorney after case analysis. The CAPO Unit **Deleted – records of security**. They are available for consultation 24 hours a day, seven days a week.

### **DOMESTIC VIOLENCE CASES**

All domestic violence case reports prepared by officers pursuant to Penal Code Section 13700 et seq. shall be submitted by the officer. Officers unable to submit via NetRMS **SHALL** fax the case to the Domestic Violence Unit.

These cases can be readily recognized by the selection of "YES in the "DV" drop down box in the Administrative Tab of the case report. Additionally, these case files are not automatically routed to the DV, requiring area command investigative sergeants to change the case file controlling organization to the FJC/DV Unit. The DV Unit will review the case and conduct follow-up investigations, if needed. Some domestic violence property crimes do not meet unit case assignment criteria and will be returned to area stations, as necessary

Domestic Violence investigations submitted to the District Attorney or City Attorney for consideration of prosecution will include the following:

- A complete copy of all computer-generated criminal history information on the suspect and victim;

- An ARJIS history of the suspect and victim. (Attach the printout to the investigator's report);
- A computer check for any firearms registered to the suspect or victim. (Attach the printout to the investigator's report);
- A copy of any TRO or Court Stay Away Order involving the couple, as well as copies of TRO's or Court Stay Away Orders involving either the victim or suspect;
- Copies of photographs of the victims and/or suspects, or photographs of the crime scene or property damage taken subsequent to the incident, whether those photographs were taken by patrol officers or investigators;
- Copies of recorded videos, audio tapes, CD's, photos, and BWC taken by responding officers, to document the crime or victim/suspect statements;
- Related Event History Reports and any 911 recordings when applicable; and
- Copies of the victim's applicable medical records, if available.

The investigator shall review the statements of the victim(s), witness(es) and suspect(s) and re-interview the victim(s), witness(es) and suspect(s) as necessary to establish the facts of the case.

The investigator will inform the victim of the status of the case and/or the intended referral of the case to the District Attorney or the City Attorney.

Provide notification to the victim that the decision to proceed with the investigation or prosecution of a domestic violence case lies solely with the prosecuting agency handling the case, even if the victim is unwilling to prosecute.

If firearms have been impounded as a result of a domestic violence incident, a court petition may be pursued to enable the Department to retain the firearm(s) in lieu of returning them to the owner(s), if there is cause to believe that returning them might pose a threat to persons involved in the incident (18250 PC). Investigators should contact the Gun Desk for additional information or to obtain the forms to initiate the petition.

### **EYEWITNESS IDENTIFICATION**

The witness recollection, unaided by outside influence, must govern the identification of suspects. Police procedures prohibit Department members from suggesting guilt of a suspect to a victim or an eyewitness. Witness identification statements should be documented verbatim. For further reference, consult Department Procedure 4.02, Eyewitness Identification.

### **FELONY ISSUANCE GUIDELINES**

Each unit shall maintain a complete set of issuing guidelines prepared by the District Attorney and City Attorney. The felony issuing guidelines are intended to be used by investigators to determine which cases should be sent directly to the City Attorney, rather than the District Attorney, for prosecution. With supervisory approval, the investigator can bring the case directly to the Issuing District Attorney for review. If a case doesn't fall clearly within DA guidelines,



the investigator should contact the DA Liaison for assistance in determining how the case should be routed.

### **FOLLOW-UP CONTACT WITH VICTIMS**

All investigators assigned to follow-up on serious felony crime cases shall make every effort to verify the details of that case by speaking with the victim **in person**. In person is defined as the investigator physically meeting with the victim for the purpose of discussing the case. In some instances, it may not be possible or reasonable for an investigator to make contact in person. In those cases, the appropriate sergeant must be notified and the investigator's attempts to contact the victim documented. If the victim of a felony crime cannot be contacted in person, the investigator must state the reason on the follow-up report.

Investigators shall not attempt to discourage crime victims from making criminal complaints. The investigator shall avoid any conversation that could be interpreted as an attempt to discourage prosecution.

### **FRAUDULENT USE OF LOST OR STOLEN FINANCIAL ACCESS CARDS**

When an automatic teller machine (ATM), debit, credit, or other access card is used fraudulently, the law enforcement agency in the jurisdiction where the suspected fraud activity occurred will have the responsibility for the investigative follow-up. In instances of multiple uses within the City and County, the follow-up responsibility generally rests with the investigator or agency assigned to the initial crime case. If the cardholder lives in the City of San Diego and the card was used in an ATM, investigative follow-up responsibility will rest with the area command where the victim resides. Investigations initiated by financial institutions will be evaluated by the Economic Crime Section for follow-up or forwarded to the appropriate investigative unit.

### **HARBOR POLICE**

Under an agreement with the Unified Port District, the San Diego Police Department will assist the Harbor Police in the investigation of some felony crimes when the investigation requires the expertise of specialized personnel (sex crimes, fatal traffic collisions) when their investigators are not available. Homicide investigations will be handled by SDPD.

Reports routed through NetRMS that will be handled by SDHP, must be closed as "Department Closure." Prior to closing the case, the investigative sergeant reviewing the case should add notes within the "Case Log" identifying the agency responsible for the investigation, and how the case was forwarded to that agency. The case will then be forwarded to SDHP. The Harbor Police Operations Sergeant **Deleted – records of security** is available during normal business hours, Monday through Friday, to answer questions.

### **IMPOUNDS**

Department Procedure 3.02 covers the Impounding, Releasing and Disposal of Property and Evidence. This information supplements those procedures. All personnel impounding property

and evidence shall examine and ensure the items are thoroughly and accurately described on the data entry screen, utilizing all the descriptive fields, in the EvidenceOnQ system.

Investigators are required to examine all impounded property and evidence associated with an assigned case.

The investigator name assigned in NetRMS will update the EvidenceOnQ record, in the “Assigned to Detective” field. If the assigned investigator retires or leaves the Department, the investigative supervisor will be responsible for determining who the outstanding impounds should be reassigned to by providing the Property and Evidence Supervisorial staff a designated person who will receive those assignments. The designated person is on a contact list maintained and used by the Property and Evidence Supervisorial staff to update property and evidence records that are eligible for review and have not been assigned in NetRMS and for retiree reassignments.

Area station property rooms are generally serviced Monday through Thursdays with no specific hours of operation. Flexibility in coverage is required to enable the Property Specialist to focus on priority daily work and projects. An area station property room may not receive service on any particular day if there are extenuating circumstances. Evidence impounded at an area station property room is transported to the Headquarters Property Room the first day possible unless it’s stored in the area station warehouse due to storage availability. If the assigned investigator needs time to review the items at the area command, this can be arranged by entering a REQUEST through EvidenceOnQ. Select code “**13 – Hold at Area Station for Detective**” and in the reason field, indicate the time period it needs to be held.

If an investigator requires the transfer of evidence from an area station location, they are to email their request to **Deleted – records of security**. This email account is monitored daily. Please allow 48 hours for the request to be fulfilled. If the email is sent before 800 hrs., same day service is usually provided.

Investigators are responsible for the timely release or disposition of impounded property and evidence associated with cases assigned to them.

Every barcoded item is assigned a retention code, based on the type of charges and the type of item. Each retention code has a designated time period for retention. Once that time period has expired, the EvidenceOnQ system automatically generates a disposition review notice email once per month. The email will be sent to the detective assigned. The investigator is to review the status of the incident and determine if the item(s) should be released to the owner, retained, or authorized for disposition. Any barcodes that are not updated within a month, will reappear on the next month’s computer-generated email. The Department’s goal is to have all barcodes reviewed within three months of the first notice.

The system tracks the number of emails sent to investigators. Investigators who are negligent in responding to the email (more than 12 months) will be put in a report be addressed with their Command.

Investigators are referred to Department Procedure 3.02 which provides details as to how to process a release, a hold, or a disposition.

Investigators must inspect all impounded found property, including found bicycles, to determine ownership. Investigators are also responsible for searching the automated systems to determine if the property has been previously reported as lost, stolen, or pawned.

All evidence being forwarded to RCFL must first be impounded through EvidenceOnQ, appropriately barcoded and then released to RCFL. This is important for the chain of custody and tracking purposes.

### **IMPOUNDED FIREARMS/GUN DESK**

The Gun Desk, located in the Headquarters Property Room, is solely responsible for the release or final disposition of ALL firearms impounded by police personnel, even if the firearm is a law enforcement issued gun (DP 3.02).

All firearms that are impounded must be entered within seven days into the Automated Firearms System (AFS), which is a State computer system. All firearms that are released or destroyed, are updated in this system. The Department of Justice conducts audits on a yearly basis of the firearm transactions by each law enforcement agency. The law has specific requirements for releasing firearms once they have been impounded with a law enforcement agency. There are no exceptions to these requirements, even for law enforcement officers.

The Gun Desk does not initiate any lab requests for impounded firearms.

When a firearm is received or confiscated by any member of the Department, a Receipt for Weapons/Currency (PD 1072) shall be issued to the individual from whom it was received or taken as directed by Department Procedure 3.25, Receipt for Weapons and Currency. The firearm(s) must be impounded using the EvidenceOnQ system. There are designated fields for firearms that must be filled, for example, make, model, serial number, color. Investigators shall contact the Gun Desk with relevant facts if a firearm needs to be held or released.

ATF will automatically complete an Etrace if the firearms are entered into AFS as an evidence/crime gun entry. Receiving these results may take time. If expedited results are required, please contact the Gun Desk during regular business hours, 0630 to 1500 Monday through Friday (Law Enforcement Only) by calling **Deleted – records of security** or submit a request by email at **Deleted – records of security**. If a detective is searching for a specific type of firearm that may have been impounded, the Gun Desk can assist them.

When a case is adjudicated, the assigned investigator shall enter a Request for Disposition by entering code “10 – firearm okay to dispo” and indicate the specific reason in the “reason field.” The Gun Desk will determine the appropriate disposition of the firearm. If appropriate, the owner will be sent a Law Enforcement Gun Release application, which needs to be completed and forwarded to the Department of Justice, along with the required fee. Once the individual receives their Department of Justice eligibility letter, they must call the Gun Desk to schedule an

appointment for the release. The eligibility letter must be presented at the time of the release. The Gun Desk will complete the Property Release Form (PD-184). Investigators are **NOT** authorized to complete a Property Release Form for impounded firearms, per DP 3.02, Impound, Release, and Disposal of Property, Evidence, and Articles Missing Identification Marks. If the firearm owner is not eligible to obtain the firearm, the Gun Desk will notify the owner of their options. If the firearm is illegal, the firearm will be destroyed.

Gun Desk business hours for public assistance and gun releases are 1100-1600 Monday-Friday.

### **IN-CUSTODY SUSPECTS**

The arraignment of in-custody suspects must take place no later than 48 hours after the arrest. The time of the arrest, not the day, determines the arraignment deadline. A person arrested during court hours (generally before 1700) must be arraigned no later than 48 hours from the time of the arrest. Saturday, Sunday, and court holidays are not included. If the suspect is arrested after 1700 hours on any day court is in session, the arraignment must occur before the close of business on the third court day with the exception of Wednesdays. All Wednesday arrests will be arraigned on Friday, regardless of arrest time. All in-custody cases must be in the District Attorney's Office by 1030 hours on the day of the scheduled arraignment, except those Friday are due no later than 0900 hours.

If there is not enough time to prepare the case, the investigator should call the DA Liaison office early on the morning of the arraignment to determine if the case should be "walked through" the issuing process. If the case can be "walked through," an appointment will be set up between a Deputy District Attorney and the investigator to discuss the merits of the case. The meeting will determine if the case can be issued before the investigation is completed.

If the case cannot be issued prior to completion, the defendant may be released before the case is issued and the investigator will continue the investigation. To maximize investigative efficiency under these requirements, Department personnel shall comply with the following procedures:

- The arresting officer must contact the appropriate investigative unit immediately when the arrest is made during the unit's working hours.
- The area investigative sergeant will review the arrest reports. If the arrest follow-up is not the area command's responsibility, the investigative sergeant will immediately telephone the appropriate command, supply them with all the necessary information and forward the report to the appropriate investigative unit.
- If the defendant is released from custody, the investigator has ten additional days to complete the investigation.
- When a defendant has posted bail, the investigator must forward the case to the District Attorney by 1030 hours two days before the defendant is required to return to court. If the case is not forwarded to the District Attorney's office in time, the defendant will be

released by the court and a Declaration in support of an Arrest Warrant must be prepared to re-file the case.

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### **INTERPRETERS**

Procedures for use of interpreters for Deaf or Hard of Hearing Individuals are detailed in DP 1.37. Procedures for use of interpreters for Limited English Speakers are detailed in DP 1.47.

### **INTERVIEWING SUSPECTS**

When legally permissible, investigators shall interview felony suspects held in custody. Any decision not to interview a suspect must be approved by the unit sergeant. Investigators will fully document the Miranda Admonishment and record the verbatim response of in-custody suspects.

### **INVESTIGATIVE FUNDS**

Investigative Funds exist to defray costs incurred during an investigation that are not specifically covered by the Police Department budget or other special funds. Investigative Funds are generally used to:

- Pay informants.
- Pay for contraband.
- Pay for miscellaneous expenditures necessary to facilitate an investigation, including expenses incurred while meeting with informants and citizen sources in public and private locations.
- Pay for miscellaneous expenses incurred while meeting with law enforcement organizations and groups necessary to facilitate exchange of information relating to criminal activities. Examples include meals and gas expenses. Pre-approval from a supervisor and original receipts are required in such instances.
- Pay for miscellaneous expenses incurred while conducting investigations related to the Countywide OIS Protocol adopted March 7, 2022. Pre-approval from a supervisor and original receipts are required in such instances.

Investigative funds will not be:

- Mixed with personal money.
- Used for any other case expense.
- Used for any other purpose than those listed above.

Investigative Funds are not kept or used by some Department Units. At times Department members may find it necessary to use their own money while conducting City business. Administrative Regulation 95.40 establishes policies and procedures for the payment of “in-town” reimbursable expenses. In-town is defined as in San Diego County not exceeding 200

miles each way and less than \$200 per person. Supervisory pre-approval, receipts, and an approved In County Training Expense Report Form are required in all cases.

## **Access**

The Executive Assistant Chief is responsible for administering the Investigative Funds. The Investigations I Captain is responsible for disbursing the funds to unit commanders via the Narcotics Lieutenant.

## **Payment/Expenditure Authorization**

An investigator must obtain prior authorization from a supervisor for any expenditure in excess of \$25.00. Investigators must seek prior approval for any expenditure that can potentially be viewed as questionable.

- Sergeants may approve single expenditures up to \$200.00.
- Lieutenants may approve single expenditures up to \$500.00.
- Captains must approve all expenditures over \$500.00.

The Executive Assistant Chief should be consulted if there is any doubt about the appropriateness of the amount, nature, or justification for expenditures.

## **Record Keeping/Expense Sheets**

Investigators assigned to any investigative unit having access to investigative funds will maintain monthly Investigative Funds Expense Sheets. Investigators who have drawn Investigative Funds will submit expense sheets for months in which funds have been received and/or expended, or in which they have a balance brought forward. They will continue to submit monthly expense sheets until all funds received have either been expended or returned. If the investigator begins the month with no balance and does not receive any funds that month, no Investigative Fund Sheet is necessary for that month.

## **Documenting Expenditures**

All Investigative Fund transfers must be documented on both the expense sheet of the person disbursing the money and the expense sheet of the person receiving the money. This includes funds that are received and returned the same day. Each entry on the expense sheet must include an explanation of the transaction. The “Reason For Transaction” space should include the purpose of the expenditure, the applicable case number, booking number, or case name.

## **Receipts**

Receipts are required for all Investigative Fund expenditures. This includes any gasoline charges, investigative purchases, payments to informants, or related expenses. All receipts must include the investigator’s name, identification number, description of purchase, and the

applicable case number. The receipts are to be attached to the investigator's monthly Investigative Fund Expense Sheet.

### **Processing Expense Sheets**

Investigators authorized to use Investigative Funds will submit monthly Investigative Fund Expense Sheets to their sergeants at the end of each month. Sergeants will check expense sheets for accuracy to determine if the expenditures were appropriate and ensure the expenses are properly documented. After approval, sergeants will forward expense sheets to the unit lieutenant.

The unit lieutenant will review the expense sheets for accuracy and will establish a unit file to retain past expense sheets. The unit's monthly Investigative Funds Expense Sheets must remain on file for three years.

The unit commander is responsible for distributing money to the personnel in his or her unit. He or she will maintain an Investigative Funds Expense Sheet and record every transaction involving the transfer of money. Every month, the unit commander will forward the expense sheet to the appropriate captain for review. Once approved, the unit commander's expense sheet will be filed with the unit's past expense sheets. A copy of the unit commander's expense sheet will be forwarded to the Narcotics Unit Lieutenant by the tenth of each month. The Narcotics Unit Lieutenant will retain all Investigative Funds master records for three years.

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### **Lost Investigative Funds**

All lost Investigative Funds must be documented. The investigator in charge of the money lost during an investigative operation will complete a "Lost Investigative Funds Report." Investigators who lose their Investigative Funds will immediately notify their supervisor and prepare a formal lost property report. These reports are to be reviewed and signed by the investigator's supervisor and unit commander. After review, a copy of the report will be attached to the investigator's monthly Investigative Funds Expense Sheet.

### **Accounting Systems**

Occasionally, units need to develop specific accounting systems to document purchases and expenditures during undercover operations. When such accounting systems are used, unit supervisors will be solely responsible for making entries to the new account and maintaining accurate records. Unit commanders will periodically review these records to ensure they are accurate and complete.

## **INVESTIGATIVE INSPECTIONS**

Investigative personnel will adhere to inspection guidelines set forth in Department



Procedure 5.10, Uniform, Equipment and Weapons, and the Department Inspections Guide. Lieutenants will ensure required inspections are completed by the end of each month.

Commanding Officers will be responsible for addressing any reported inspection discrepancies. Employees will be held liable for negligently lost, damaged or stolen equipment pursuant to Department Policy and Procedures. The master investigative equipment database will be maintained in Operational Support and updated as needed.

## **LABORATORY PROCEDURES**

Consult the Laboratory Unit's Operations Manual for services provided by the Laboratory.

## **MISSING JUVENILE/ADULT CASE CANCELLATION**

In order to cancel a Missing Person case, the investigator must open the case file and develop an additional case report (i.e. .2, .3, .4, etc.). Within the additional case report, the investigator shall bring forward the existing victim data from the .1 report via the case file. In the "Victims" tab, the investigator will select "Found" under the Missing Person Type dropdown list. The investigator must then enter the address where the person was located in the "Where Found" header. In the header labeled "NCIC Cleared By," the investigator shall document the name and I.D. of the records division personnel who was notified the person has been located. A Records Division employee will make the appropriate updates in CLETS. The CLETS cancellation printout will be electronically attached to the case in NetRMS. The investigator's follow-up information shall be added to the Narrative section of the additional case report (i.e., .2, .3, .4, etc.).

Per the *National Child Search Assistance Act of 1990*, the law enforcement agency that entered the missing person report into NCIC shall "no later than 60 days after the original entry of the records into the state law enforcement and NCIC computer networks, verify and update such record with any additional information, including, where available, medical and dental records."

If the missing person case has not been cancelled within 60 days, the investigator shall enter this information into NetRMS as an additional case report (i.e., .2, .3, .4, etc.). The investigator will include information of all follow up contacts and the steps taken during their investigation within this report. The NetRMS case file should be as complete as the investigator's working copy.

## **MISSING JUVENILE LOG**

All area command Juvenile Services Teams shall maintain a Missing Juvenile Log. The log is computerized and on the Department's LAN system. The log shall include the command handling the investigation, case number, case open/close date, juvenile's name, DOB, sex, race, last school attended and investigator's follow-up notes. The area command Juvenile Services Teams will maintain the log.

## **NOTIFY WARRANT/WARRANT OF ARREST**

The original ARJIS-8 form requesting a Notify Warrant/Warrant of Arrest prepared by uniformed officers will be completed electronically through NetRMS. Officers will make a copy of this report and forward it to the investigative unit responsible for investigating the criminal charges. The assigned investigator will determine if the report supports the charge(s).

Investigators initiating a Notify Warrant/Warrant of Arrest will develop an additional case report (i.e., .2, .3, .4, etc.) documenting the steps taking during their investigation and their desire to have a warrant issued. The investigator will forward a copy of all reports to the District Attorney or City Attorney for prosecution. A Warrant of Arrest requires an affidavit in support to be submitted with the D.A. package. The investigative sergeant must review all reports before submission.

## **PROBATION AND PAROLE SEARCHES**

See Department Procedure 4.15, Probation, Parole, Knock and Talk Searches Including High Risk Entries and Outside Assistance for details.

Prior to conducting a parole or probation search of a residence, the case officer must verify the parolee/probationer is subject to a warrantless Fourth Amendment waiver search. Not all parolees and probationers are subject to all Fourth Amendment waiver conditions. This may be done by communicating directly with the parole or probation officer or reviewing court disposition records during business hours. After business hours, officers may rely on crime computer systems as verification.

Once confirmation of a subject's search conditions has been made, the subject's place of residence must be confirmed. This confirmation can be made through the parole/probation office or by various investigative techniques. Once the address is confirmed, the case agent will conduct a thorough, systematic suspect and site assessment.

The case agent shall complete an operational plan, receive supervisory approval of the plan and conduct team briefings before carrying out Fourth Amendment waiver or parole searches that involve building entries. All involved law enforcement personnel shall be fully briefed and understand the operational plan. The case agent and the unit supervisor will review the operational plan to ensure that adequate personnel and resources are utilized and that it is as secure and safe as possible.

The case agent is required to have in his or her possession a copy of the subject's conditions of probation before executing the Fourth Amendment waiver search. A sergeant must be physically present during all Fourth Amendment waiver searches of residences or buildings and all "knock and talks".

## **REPORT ROUTING**

Area commands are responsible for the investigation of felony and misdemeanor crimes against persons or property occurring within their geographical boundaries unless the crimes require specialized investigation. Homicides, commercial robberies, kidnappings, felony sex crimes, child abuse, domestic violence, financial crimes, elder abuse investigations, computer crimes, traffic-related investigations, certain gang-related crimes, and major narcotics investigations are typically investigated by specialized investigative units.

Once a case has been assigned to a specialized investigative unit, all follow-up investigations must be conducted at the direction of that unit.

When a case number is generated in MPS, it creates a case file folder in NetRMS. That case file is assigned to the same controlling organization the officer used when logging into NetRMS. Case reports generated in this case file will automatically be placed in this case file. Any additional Officer's Reports added to the case file will automatically be placed into the same case file. Misdemeanor citations shall have a case file folder generated in NetRMS. The case file folder shall have a case report with the charging section that corresponds with the citation. The citation should be scanned into and attached into the case file as an attachment. Officer's Reports related to homicides should be written within the NetRMS file unless directed by the homicide sergeant on scene.

Unless reporting officers are directed to do otherwise by Child Abuse investigative personnel, all reported allegations of child abuse, neglect, and molest submitted for investigation by the Child Abuse Unit will be documented on a case file case report listing "ZZ/934000/CHILD ABUSE INCIDENT" in the offenses tab. All ZZ934000/CHILD ABUSE INCIDENT REPORTS will be submitted via NetRMS. Investigators needing to change the "CODE SECTION AND DESCRIPTION" on a case report from ZZ/934000 to another, more specific or more appropriate charge shall do so by creating an additional case report (.2) and overwriting the exiting offense (934000 ZZ) with the new charge.

## **RESOURCES**

### **Mobile Devices**

The Police Laboratory Forensic Technology Unit will conduct searches of Mobile Devices. See the current laboratory policy for information.

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## **Polygraph**

The Polygraph Unit is staffed during the day and a Polygraph Examiner is always on call and is available through the Watch Commander's Office.

## **Wire Room**

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## **Definitions**

A service agency is the law enforcement agency initiating an investigation or planned event, which enters another agency's jurisdiction.

A venue agency is that law enforcement agency having primary responsibility for the delivery of police services in a geographical area.

A planned event is a law enforcement activity which can be/is planned in advance, such as the service of a search or arrest warrant, a money or narcotic show, a protracted surveillance, etc.

## **Notification**

Prior to a planned event, the service agency shall notify the venue agency, in a timely manner, of the proposed event. Notification will normally be to the venue agency's Watch Commander. Such notification should include:

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## **Narcotics Related Investigation**

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## **Field Contact/Confrontations**

Because plain clothes/undercover officers are not readily identifiable as law enforcement officers, contacts between them and uniformed personnel include the potential for confrontation. The primary responsibility for avoiding or defusing this risk lies with the non-uniformed officer(s).

Their actions and behavior when contacted by a uniformed officer are critically important. The following suggestions are intended to assist in avoiding or alleviating the tension possible in such contacts:

1. Where direct confrontation with suspects is anticipated, the officers involved in the contact should wear clothing with the word POLICE clearly printed on it that clearly identifies the officers.
2. When not clearly identified as a police officer, the undercover officer should carry their firearm well concealed rather than partially or completely exposed to view.
3. When stopped, plain-clothes officers will identify themselves verbally and indicate where credentials and weapons are located.
4. Follow the instructions of the uniformed officer explicitly.
5. Avoid any sudden movement, which could be interpreted as suspicious or threatening. Keep hands in sight and open.
6. Comply with any requests of the uniformed officer without hesitation.
7. Be prepared to provide the phone number and name of a supervisor or other agency member who may be contacted for verification as requested by the uniformed officer.

## **Unplanned Events**

Recognizing the changing nature and direction that investigations may take, service agencies may find it necessary to enter into a venue agency's jurisdiction without prior coordination. In

such instances, the venue agency will be notified as soon as possible, conforming to above procedures.

### **SCHOOL-RELATED CRIMES**

Under an agreement with the San Diego City Schools Police Department, the San Diego Police Department will assist with calls for service on or near school district property. Each agency will be responsible for completing the follow-up investigations it initiates, except when special circumstances are present. Special circumstances may occur when SDCSPD does not possess the resources necessary to thoroughly investigate certain serious crimes. Generally, the following types of crimes will be referred to SDPD for investigation:

- Murder (187 PC)
- Rape (261 PC)
- Arson (451 PC)
- Explosive & Destructive Devices (12300 PC)
- Auto Theft (10851 CVC)
- Child Abuse (273 PC, et al)
- Hit & Run (20001-20002 CVC)

All reports that have been routed to an SDPD unit for investigative follow-up through NetRMS, but that will be handled by SDCSPD, must be closed as Department Closure. Prior to closing the case, the investigative sergeant reviewing the case should add notes within the Case Log identifying the agency responsible for the investigation, and how the case was forwarded to that agency.

The San Diego Police Department will be the custodian of original records for all citations, field interviews, juvenile contacts, and arrest and crime reports prepared by the San Diego City Schools Police Department. SDCSPD evidence may be impounded at any San Diego Police Department Property Room following Department Policy and Procedures.

### **SEARCH WARRANTS**

See Department Procedure 4.15, Probation, Parole, Knock and Talk Searches Including High Risk Entries and Outside Assistance, for further information.

#### **Obtaining a Search Warrant**

All investigators shall follow their unit's guidelines for preparing search warrants. The case agent will call The San Diego Law Enforcement Coordination Center (SDLECC) prior to obtaining a warrant, to clear the target of the warrant of any potential conflicts with other units, or law enforcement agencies. Once the search warrant and supporting affidavit are prepared, a supervisor shall review the document for accuracy. The Department's District Attorney Liaison must screen approved search warrants. In his or her absence, another Deputy District Attorney may review the warrant and affidavit if the need to serve the warrant is urgent. The case agent will present the signed search warrant to his or her supervisor who will check it for accuracy and ensure the warrant is valid.

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### **SEX CRIMES**

Area commands have the responsibility for investigating all misdemeanor sex-related crimes occurring in their areas.

The Sex Crimes Unit will handle all felony sex crimes involving victims fourteen years of age and older occurring anywhere in the city. (Area Commands have the responsibility of investigating all sexual assaults – including felony sexual assaults – if the suspect is a juvenile and the victim is between 14 and 17 years old.).

The Child Abuse Unit will handle victims under fourteen years old.

The Domestic Violence Unit will handle sexual assaults involving a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or has had a dating or engagement relationship.

The Sex Crimes sergeants are responsible for notifying the appropriate commanding officer whenever an active felony sex crime series is identified.

### **TRAVEL EXPENSE REIMBURSEMENT AND REPORTING**

#### **In-Town Investigative Travel**

[Administrative Regulation 95.40 In-Town Reimbursable Expense Policy](#) establishes policies and procedures for the payment of “in town” reimbursable expenses incurred by City employees while conducting City of San Diego business. “In-town” is defined as within San Diego County, Baja Norte in Mexico, or one-day trips not exceeding 200 miles one way. In general, costs for parking and gas for a department vehicle are reimbursable with original receipts. Mileage for a personal vehicle used while conducting city business may also be reimbursable per the terms of [Administrative Regulation 45.10 Employee Transportation Authorization](#) and based upon Privately Owned Vehicle (POV) Mileage Reimbursement Rates set by the U.S. General Services Administration (GSA) at [www.gsa.gov](http://www.gsa.gov). However, the use of a department vehicle and city-provided parking and fueling stations should be prioritized when possible.

Generally, reimbursement for in-town meals is allowed only when necessary to conduct City business. However, the City’s policy is to conduct business as much as possible during regular working hours. The decision as to whether it is necessary to conduct business during an in-town meal is within the discretion of the Appointing Authority, however, a meal during an employee’s lunch break would not typically qualify. Approved meal expenses incurred while on City business will be paid up to the maximum allowance per [GSA](#) per diem rates for San Diego with original receipt(s).

### **In-Town Procedure**

To be reimbursed for In-Town expenses, Appointing Authority (Captain) approval is required in writing, to include justification for the business conducted, estimated expenses, and, if applicable, an explanation as to why a break from city service during any meal(s) requested for reimbursement could not be realized.

An [In-Town Travel Expense Report Form](#) must also be completed by the requestor and approved by the requestor's supervisor within five (5) days of completion. Original receipts must accompany the In-County Training Expense Report Form as well as a [Mileage Report \(AC-1145\)](#) for any mileage claimed for a personal vehicle used while conducting city business. Please note, the mileage calculated for a personal vehicle on the Mileage Report should also be recorded on the "transportation" line of the In-County Training Expense Report Form when applicable.

### **Out-of-Town Investigative Travel**

[Travel Policy Administrative Regulation 90.30](#) establishes policies and procedures for the payment of "out-of-town" reimbursable expenses incurred by City employees while conducting City of San Diego business. Approval for travel expenses which normally include airfare, meals, lodging, rental cars, and miscellaneous daily expenses must be requested via Memorandum through the requestor's chain of command in advance, including applicable cost estimates. The Memorandum is addressed to the Executive Assistant Chief via the requestors Assistant Chief. When the Memorandum is approved, it will be forwarded from the Chief's Office to Fiscal Operations for processing. Upon receipt, the requestor will be notified of the status of the request by Fiscal Operations and will be advised regarding next steps to coordinate the necessary travel arrangements.

Rates for maximum lodging and per diem/meals during out-of-town travel are set by the [GSA](#) based upon the date(s) and temporary duty location (TDY) where department business is being conducted. Lodging should be booked as close to the TDY as possible to limit city costs. Any expenses over the TDY [GSA](#) rates must be requested, justified, and approved by the Executive Assistant Chief prior to travel. Failure to do so may result in the employee not being reimbursed.

### **Travel for Training**

For both In-Town and Out-of-Town Training and Conferences refer to [Department Procedure 5.22 Training Procedures and Certifications](#).

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### **VEHICLE TAKE-HOME POLICY**



Each unit shall establish and enforce its own specific vehicle take-home criteria. The established criteria must conform to the Department's Policy and Procedures. Each unit is responsible for monitoring the use of take-home vehicles.

Personnel not assigned take-home vehicles must receive authorization from a sergeant or higher before taking a Department vehicle home. Employees who are authorized to take a Department vehicle home or use a Department vehicle outside normal working hours must adhere to the guidelines established by Department Procedure 1.16, Off-Duty Use of Department Take- Home Vehicles.

Each command has a Point of Contact (POC) for Fleet Operations. The POC will be responsible for maintaining an updated roster containing vehicle assignments. The POC should periodically compare the Unit roster with that of Fleet Operations to ensure accuracy and accountability. Any variations should be rectified upon discovery.