HOMICIDE UNIT

Operations Manual

Revised October 2026

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SECTION I

INTRODUCTION TO THE HOMICIDE UNIT

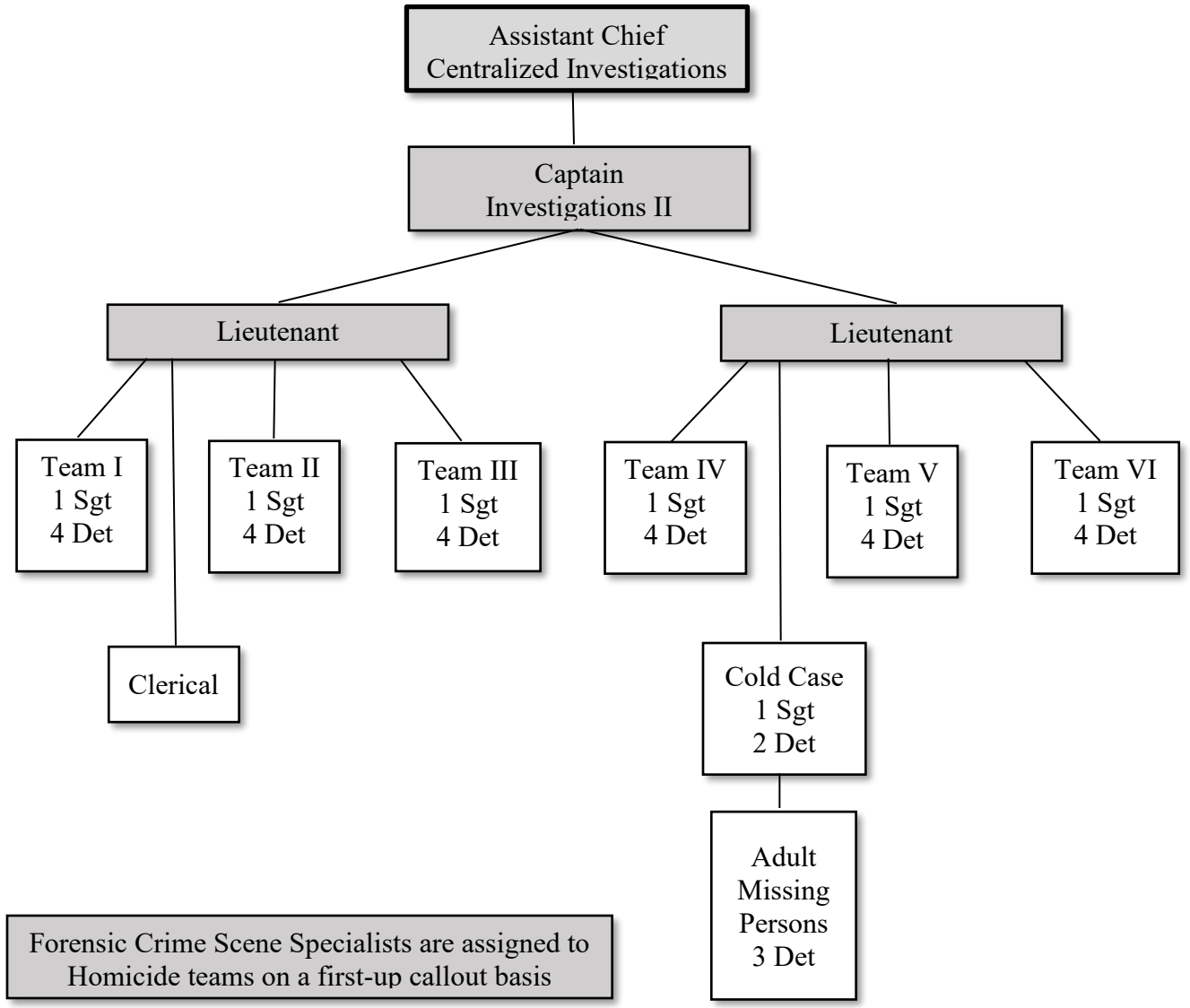
Mission

The mission of the Homicide Unit is to conduct thorough, impartial, and professional investigations, observing the highest standards of integrity, and professional ethics. Unit personnel are committed to the relentless pursuit of the truth in each investigation we undertake, utilizing skilled interviewing, forensic techniques, innovative thinking, inter-agency teamwork and community partnership in a concerted effort to achieve justice for the victim and their family.

Goals

The goal of every homicide investigation is to identify and apprehend the perpetrator(s). Additionally, we work to provide prosecuting agencies with thorough investigative reports in support of appropriate criminal charges; locate missing persons and provide assistance in those cases where it is warranted; and collaborate in partnership with Area Commands, Investigative Units, outside law enforcement agencies and the community to reduce violent crime and ensure the safety of all citizens.

HOMICIDE UNIT – ORGANIZATIONAL CHART



SECTION II

UNIT PERSONNEL DUTIES & RESPONSIBILITIES

Unit Lieutenants:

1. Be available on a 24-hour basis to respond to inquiries from patrol or investigations regarding deaths that occur under mysterious or unusual circumstances. The Homicide Lieutenant activates a Homicide Team when an immediate investigation is warranted, i.e., all homicides, officer-involved shootings (OIS) and in-custody deaths (ICD) involving other law enforcement agencies per the Countywide OIS protocol dated March 7, 2022, etc. (refer to call out directive for specifics) and notifies the Investigations II Captain of the callout. The District Attorney's Office notifies the on-call FBI Special Agent in the Civil Rights Division in OIS incidents.

2. Participate in the daily Chief's Briefing (morning call) to provide pertinent information on homicide cases.

3. Verify cancellations are in accordance with the guidelines of the Investigative Procedures Manual.

4. Ensure inactivated cases are complete, that all workable leads are pursued, and that investigative steps taken are documented.

5. Review and track all officer-involved shooting cases being submitted to the District Attorney.

6. Prepare Press Releases.

7. Complete Homicide and Call Out Logs.

8. Prepare a weekly homicide statistics card.

9. Review and revise Department Procedures pertaining to homicide-related offenses, as the need arises.

10. Maintain liaison with District Attorney's Office, the Medical Examiner's Office and other police and criminal justice agencies. Be responsible for the overall operation or coordination between the agencies.

11. Act as spokesperson on all Homicide Unit cases (missing persons, suspicious deaths, officer-involved shootings, and murders) to broadcast and print media.
12. Review and respond to CPRAs pertaining to all deaths, OISs, and ICDs.
13. Maintain accountability for the homicide loaner guns and investigative funds.

Detective Sergeants:

1. Supervise, train, mentor and evaluate detectives on their team during callouts and on a day-to-day basis. Be a resource and provide guidance to detectives on their team and within the Homicide Unit on department procedures, investigative techniques and strategies, legal issues and other matters related to homicide and OIS investigations.

2. Assume on-call and call out accountability for him/herself and on-call personnel.

3. Supervise and manage scenes assigned to the Homicide Unit. This includes arranging the initial patrol briefing, determining work assignments for investigators, and coordinating the activity of on-scene Lab personnel.

4. Be empathetic and professional when making death notifications with the victim's family and friends (in coordination with the Homicide Lieutenant and the Office of the Medical Examiner). Maintain open and regular communication with the victim's family to keep them informed of each case's status.

5. Complete the case book upon reviewing all documents required for that investigation.

6. Prepare professional, detailed and thorough presentations (3rd Day Presentation) to the DA's office for all OIS incidents assigned to their respective homicide teams.

Police Detectives:

1. Be available as scheduled for 24-hour callback.

2. Crime Scene:

    a. Examine physical evidence.
    b. Coordinate the collection of evidence with Lab personnel.
    c. Interview witnesses.
    d. Prepare scene diagram(s).
    e. Prepare related reports

3. Morgue Scene:

    a. Examine deceased person(s) for physical evidence.
    b. Collect and preserve evidence for trial.
    c. Prepare investigative reports.
    d. Direct activities of Laboratory personnel.

4. Suspect Processing:

    a. Interview suspect(s).
    b. Collect and preserve physical evidence.
    c. Prepare investigative reports.
    d. Coordinate activities of Laboratory personnel.

5. Maintain Proficiency in:

    a. Handling and preserving digital evidence including security footage, cell phones, social media records.
    b. Legal updates in the areas of ECPA, homicide, interrogation, and use of force law

6. Preparation of Court Cases:

    a. Present evidence and obtain criminal complaints from the District Attorney's Office.
    b. Maintain liaison with, and be responsive to, the assigned Deputy District Attorney(s).
    c. Thoroughly prepare for testimony in criminal prosecutions.

7. Training

    a. It is recommended that Homicide Detectives complete the following training courses:

        i. Homicide School (80 hours)

ii. OIS School (40 hours)

iii. Science Based Interviewing (40 hours)

b. It is also recommended that at least one detective from each homicide team should complete the following courses:

i. Fire Death class (80 hours)

ii. Skeletal Recovery class (40 hours)

c. Detectives may also consider taking classes related to specific types of investigation, such as Domestic Violence, Child Abuse, or Gang Related Crimes to expand their base of knowledge and ensure they have the proper training to investigate homicides related to such crimes.

d. All class approvals are subject to work demands including the on-call rotation, class availability, funding, and the approval of a training request through normal procedures.

e. Equivalent alternative classes or prior investigative experience may satisfy these recommendations.

Clerical Support Personnel:

1. Answer incoming telephone calls and review all voicemail messages before transferring to appropriate unit personnel.

2. Retrieve subpoenas from computer (County - DA37). Log all incoming subpoenas in the electronic subpoena log to allow the tracking of court appearances, receipt and distribution of subpoenas. Place logged subpoenas in the detective's supervisor's mail bin for service. Update the subpoena log when signed subpoenas are returned, showing the date served and supervisor's name and ID. Electronically return the subpoena via computer (County - DA27) and mail the original signed subpoena to the issuing court (Court Liaison).

3. Retrieve unit mail from the Mailroom and the Records counter daily. Sort and distribute incoming mail. Deliver all outgoing mail to the mailroom daily.

4. Provide assistance to officers, prosecutors, witnesses and citizens.

5. Prepare the bi-weekly time sheet (Homicide/Cold Case/Missing Persons). Complete and submit to the Payroll Unit each pay period with the original leave/overtime slips. Maintain a copy of submitted time sheets, leave and overtime slips for reference.

6. Track and order office supplies (maintain copy of orders in the unit's "G" drive).

7. Maintain and update the unit roster (current roster to be stored in the unit "G" drive).

8. Additional work assignments as directed by supervising lieutenant and/or homicide personnel.

SECTION III

GENERAL OFFICE PROCEDURES

Office Procedures:

Working hours – Generally, unit detectives and sergeants work 0700 to 1700 hours with either FSS or SSM off. Teams may change days off at shift change as determined by the unit sergeants with approval from lieutenants.

Time Off – Annual vacation, vacation, compensatory time off, and discretionary leave requests will be handled in accordance with Department Procedures and Memorandum of Understanding.

Timecards – Timecards, approved overtime slips, and requests for leave shall be submitted via OneSD in a timely manner in accordance with Department Procedures.

Supplies – All requests for supplies shall be coordinated through office clerical staff.

Telephones/Email correspondence/Cell phone use – Office telephones, voicemail and email correspondence should be answered promptly. Individual voicemail greetings and email should be updated to reference any out-of-office periods, with a secondary contact provided. Department-issued cellular telephones shall be used in accordance to Department Procedures.

Office Security:

Office doors will be locked at 1700 hours Monday through Friday and throughout the weekend and observed City holidays. Key card access is authorized through the Commanding Officer.

In instances where unit personnel are working after normal business hours, it is the responsibility of the last unit member leaving the office to ensure the doors are locked.

All sensitive documents and materials should be kept off desktops when detectives/sergeants are not present. Office visitors will be escorted while in the Homicide office.

File Security/Files List/Retention Schedule:

Office files will contain information on open and unsolved homicides, death reports, suicide and attempted suicide cases, and missing persons reports. Investigative files are largely confidential and should be kept secure, if possible. Only Homicide Unit personnel can review homicide files. Review of the files by any other personnel must be approved by a homicide supervisor.

Original files will not be removed from the Homicide office. Working copies will be used in the field or court.

The Department Records Disposition Schedule is located by searching Citynet.sandiego.gov/Records Retention/Department Specific Schedule/Police. Personnel are not authorized to dispose of any Department records, documents, files, etc.

Case File Organization/Case Files/OIS/Officer- Involved Incidents:

Case files should be organized in a consistent, orderly, and easy to read manner. The following format will be used in all cases:

1. All homicide and officer- involved cases submitted for cancellation should be organized using the standard San Diego Police Department Homicide Investigation Dividers. Any deviations must be approved by the team Sergeant.

2. All pertinent case information will be filled out at the top of Divider #1.

3. If there are no reports to be filed in a given section, that fact will be clearly stated on the numbered divider for that section.

4. The first page of each numbered section will consist of a modified chronological report listing the type of report, date and time of report, officer/detective filing the report, date the report was submitted to the District Attorney and the name of the officer/detective transmitting the report to the District Attorney. Reports listed should be by title and name of subject (i.e.: Witness Interview Jones).

5. If a given witness is interviewed more than once during an investigation, reports pertaining to that witness should be filed in the order of the interviews. They can also be filed side by side, which makes for easier reading by persons reviewing the case.

6. In every case involving physical evidence, a forensic laboratory service request for analysis will be provided to the Forensic Laboratory by the homicide team conducting the investigation. This report will state, item by item, what tests or dispositions are to be carried out on each numbered item of evidence. The report should be in the team sergeant's name and should be discussed with a lab supervisor prior to submission. The lab supervisor and team sergeant will come to an agreement on which items will be processed and which will be retained for future analysis. The lab supervisor's name will be included on the service request order to document the agreement. Every lab report must have a corresponding Results of Analysis report from the lab.

7. Every report in the case file should be approved by the team sergeant before it is submitted to the lieutenant for review and cancellation. When reports are determined to contain errors, they should be returned to the originating officer/detective for correction. Corrected copies should then be distributed to the work file, the District Attorney file and the Original Case file.

8. Reports concerning officer-involved shootings and/or officer-involved incidents will not leave the Homicide office until reviewed and approved by the lieutenant in charge of the investigation.

Release of Homicide Records:

Access and release of criminal records are regulated by the California Penal Code, Government Code, and other sources identified in the "California Criminal Records Security Statutes and Regulations," published by the California Department of Justice. These regulations cover both paper and computer system records. This document is available in Records Division. Records Division will not release records to personnel who are not currently assigned to the Homicide Unit. In the event personnel once assigned to the Unit need documents for court, etc., Homicide Lieutenant approval via email is required by Records Division.

The release of official information, reports, records, etc. are specified in Department Procedure 1.26, Access and Release of Criminal Records, and Department Procedure 1.30, Press Release and Media Relations. The dissemination of materials not specifically covered in DP 1.26 or DP 1.30 shall be approved by the commanding officer or homicide lieutenant.

SECTION IV

HOMICIDE TEAM CALLOUT PROCEDURES

The Homicide Unit is responsible for the investigation of the following cases:

1. All homicides occurring in the City of San Diego. The Homicide Unit will also investigate suspicious deaths and other related investigations as deemed appropriate by the Command.

2. All "Officer-Involved Shootings" (OIS) per the Countywide OIS Protocol dated March 7, 2022 by deputies or officers employed by:

    a. The San Diego Sheriff's Department
    b. San Diego County Probation
    c. San Diego District Attorney
    d. Carlsbad Police Department
    e. Harbor Police Department
    f. San Diego Community College Police
    g. Chula Vista Police
    h. San Diego Unified School Police
    i. Coronado Police
    j. San Diego State Police
    k. El Cajon Police
    l. University of California San Diego (UCSD) Police
    m. Escondido Police Department
    n. La Mesa Police Department
    o. National City Police Department
    p. Oceanside Police Department

    This includes all discharges of a firearm whether a person is hit or not, excluding discharges that are deemed unintentional, training related, or conducted during the euthanization of an animal. (Per the MOU, San Diego Police Department OIS's will be investigated by the San Diego Sheriff's Department Homicide Unit. OIS's by both SDPD and SDSO will be investigated by CVPD).

3. The death of any person per the Countywide OIS Protocol dated March 7, 2022, while in the custody of deputies or officers employed by:

    a. The San Diego Sheriff's Department
    b. San Diego County Probation
    c. San Diego District Attorney
    d. Carlsbad Police Department
    e. Harbor Police Department
    f. San Diego Community College Police

g. Chula Vista Police
h. San Diego Unified School Police
i. Coronado Police
j. San Diego State Police
k. El Cajon Police
l. University of California San Diego (UCSD) Police
m. Escondido Police Department
n. La Mesa Police Department
o. National City Police Department
p. Oceanside Police Department

In custody is defined as a detention or arrest coupled with a use of physical force and/or some sort of physical restraint. In custody means more than being chased or contained by officers. This does not include the death of a person incarcerated in a County or City detention facility/jail (except when it stems from a use of force). (Per the MOU, San Diego Police Department In Custody Deaths will be investigated by the San Diego Sheriff's Department Homicide Unit. In Custody Deaths by both SDPD and SDSO will be investigated by CVPD).

4. SDPD will be the lead investigative agency for all officer-involved shooting incidents occurring within the City of San Diego, when the involved officer's agency is a non-signatory to the Countywide OIS Protocol dated March 7, 2022 (e.g. Riverside Sheriffs, Anaheim PD, Border Patrol), regardless of whether or not the target is struck.

5. Any non-traffic related incident resulting in the critical injury or death of a San Diego Police officer.

6. When it is apparent, through witness statements or physical evidence, that an attempt on the life of an officer has occurred.

7. When an active law enforcement officer commits suicide in the City of San Diego. This extends to San Diego Police officers who have retired in the last three years or at the discretion of the Investigations II Captain.

8. Any non-traffic related death that requires the expertise of homicide detectives, involves law enforcement personnel and at some future date could result in a lawsuit against the Department and/or the City of San Diego.

The on-call Lieutenant may also be notified when the following type cases occur but a call out response may not be initiated:

1. Any incident where the victim appears to be in imminent danger of dying. This should be based on information received from qualified medical personnel. The on-call Homicide Lieutenant will make the decision whether or not to commit a homicide team. In this type of incident, the area command investigative unit should be notified if Homicide declines to initiate an investigation. Generally, a homicide team will not be

assigned until medical personnel state that death is "imminent."

2. Any arrest by department personnel of a homicide suspect for any other jurisdiction's agency. This includes warrant arrests (NCIC hits, etc.) for other agencies. The purpose is to ensure that all background information and assistance is provided to the concerned agency at the time the suspect is taken into custody.

The Homicide Unit is NOT responsible for the investigation of the following cases:

1. "Officer-Involved Shootings" (OIS) or In-Custody Deaths involving San Diego Police officers will be investigated by the San Diego Sheriff's Department. San Diego Homicide personnel will respond to these calls to function as liaisons.

2. "Officer-Involved Shootings" (OIS) of In-Custody Deaths involving BOTH San Diego Police officers and San Diego Sheriff's Department deputies will be investigated by Chula Vista Police Department. San Diego Homicide personnel will respond to these calls to function as liaisons.

3. When an incident is determined to be an AB1506 Qualifying Event, meaning an officer-involved shooting incident "resulting in the death of an unarmed civilian," the Department of Justice will have investigative responsibility. This determination may not be obvious at the beginning of a Homicide callout. However, the DOJ will be immediately notified whenever it becomes apparent that the incident might qualify. As a courtesy, DOJ will also be contacted on any incidents where the weapon involved is a moving vehicle.

4. "Officer-Involved Shootings" (OIS) or In-Custody Deaths involving personnel from non-signatory agencies or the California Highway Patrol (CHP) that occur within the City of San Diego but on State Property. The California Highway Patrol is responsible for conducting those investigations that occur on state property (freeways, off-ramps, state buildings, etc.).

Call-Out Procedures:

1. The on-call Homicide Lieutenant should be notified any time of the day or night regarding the above listed cases.

2. Once a decision is made to respond, the on-call Homicide Lieutenant normally will notify the on-call Homicide Team Sergeant, who shall notify other team members and Crime Scene Specialist(s). The Homicide Lieutenant will also initiate notification of the Investigations II Command staff. The District Attorney will notify the on-call FBI Special Agent on OIS callouts.

3. Homicide personnel are required to be on scene without undue delay, bearing in mind

that there may be response delays when an incident occurs in another city or remote portion of San Diego County.

Call-Out Criteria for Laboratory Personnel:

1. The SDPD Laboratory will maintain an on-call schedule for Lab Personnel. They will provide that list to Homicide clerical personnel who distribute it weekly to Unit personnel.

2. A Crime Scene Specialist shall be called out when a Homicide Team responds to a scene.

3. The on-call sergeant and on-scene Crime Scene Specialist will evaluate the need for a Criminalist or additional Lab personnel.

Initiating the Investigation:

Upon being notified by the Watch Commander's Office or Field Lieutenant, the Homicide Lieutenant and on-call homicide team will respond to the incident and initiate the investigation. Upon receiving the crime scene briefing from the scene supervisor, the Homicide Unit Sergeant shall assign roles and responsibilities to the homicide team and Lab personnel.

The case agent shall be responsible for determining crime type and preparing the case for prosecution. The Homicide Unit will investigate all underlying offenses and prepare and submit the case for prosecution.

Jurisdiction:

For purposes of determining jurisdiction, an element of the offense must have occurred in San Diego County for the San Diego County District Attorney's Office to accept a case for prosecution or guidance. Pre-meditation or planning is an element, even if the offense occurred outside our County. Concealment or cover up of the offense is not an element. If the case cannot be prosecuted in San Diego County, the ensuing investigation should be given over to the jurisdictional agency as soon as possible.

On-Call Schedule:

1. Each of the six Homicide Unit teams are included in the on-call rotation schedule.

2. The rotation is based upon a 3 team on call system: 1st up, 2nd up, and 3rd up. Teams 1 thru 3 are subject to call out. The teams shall be called to respond in order. The rotation occurs weekly on Tuesday mornings at 0700 hours.

3. If an on-call team is called out and completes whatever investigatory work is immediately necessary, that team shall reassume their position in the rotation for the remainder of the week. Physical exhaustion of personnel should be a consideration in the timing of this decision.

4. The 3rd up team shall be prepared to respond to:

    - Provide assistance to outside agencies.
    - Respond to suspect's in-custody for outside agencies.
    - Respond to Medical Examiner Inquiries for death evaluation.
    - Conduct case research.
    - Respond to walk-in and phone-in general public questions.

5. The On-Call Schedule is updated and maintained by a Homicide Lieutenant. A copy will be retained in the unit "G" drive. The Homicide Lieutenant rotation is also weekly, as stated above.

Take Home Vehicle Use:

Because they are subject to investigative call back, teams are authorized to take home their assigned department vehicle and may use the vehicle as outlined in DP 1.13, Off-Duty Use of Department Take Home Vehicles. When off-duty, teams assigned 1st, 2nd and 3rd up shall be prepared to respond and be on scene without delay. These teams shall take their assigned cars home in accordance with DP 1.13.

The 4th, 5th, and 6th up teams have no on-call obligation to respond to new cases. The 4th, 5th, and 6th up teams may be activated or entered into the rotation as circumstances dictate. They also

may be required to respond to the field when off duty in response to subjects placed on the Officer Notification System. Accordingly, these teams are authorized to take home their assigned department vehicles but are subject to restrictions set by the Commanding Officer.

Department members should refrain from operating a Department vehicle after having consumed alcoholic beverages. Department members are prohibited from driving Department vehicles any time their driving ability has been impaired through the ingestion of prescription or nonprescription drugs or alcohol.

Homicide Unit personnel shall be familiar with, and adhere to, Department Procedures regarding the use of Department vehicles.

SECTION V

OFFICER-INVOLVED SHOOTING INCIDENT PROCEDURES

This procedure applies only to officer-involved shootings which do not fall under the investigative purview of the Attorney General's Office in compliance with California Assembly Bill 1506 and Section 12525.3 of the Government Code, signed into law September 30, 2020.

Homicide Unit Procedures:

The San Diego Police Department's Homicide Unit is responsible for the primary investigation of all officer-involved shooting (OIS) incidents which involve county agencies that signed the Countywide OIS MOU dated March 7, 2022, whether the officer is on- or off-duty. The Homicide Unit is also responsible for the primary investigation of all officer-involved shooting incidents for any non-signatory agencies that are involved in OIS incidents inside the City of San Diego with the exception of OIS incidents that occur on state property involving California Highway Patrol personnel or non-signatory agencies, in which case the CHP will be the primary investigating agency. The Homicide Unit investigates when death or injury occurs as a result of an officer firing his/her weapon, or when an officer intentionally shoots at a person and misses.

Upon being notified by the Watch Commander's Office or Field Lieutenant, the Homicide Lieutenant and on-call homicide team will respond to the incident and initiate the investigation. The investigation follows the investigative procedures of a standard homicide inquiry. The role of the Homicide Unit is to investigate the incident for criminal violations.

Upon receiving the crime scene briefing from the scene supervisor, the Homicide Unit Sergeant shall assign roles and responsibilities to the homicide team and Lab personnel.

Public Safety Briefing Procedure:

The public safety briefing should be completed by the patrol personnel at the scene prior to the arrival of the Homicide Unit. If it has not been completed, the patrol or investigative supervisor at the scene should evaluate the need for a public safety briefing with the involved officer(s) as soon as possible. The officer's participation is mandatory and may be ordered.

Prior to the safety briefing, the supervisor should explain the following to the shooting officer: the purpose of the briefing is to ensure there are no other unknown injuries caused by the shooting and to account for all potential evidence in the case. The statement will be recorded and will not go into details as to why the officer fired his/her weapon. Those details will be covered later in a formal Homicide Unit interview.

All inquiries concerning the involved officer's actions are subject to the Peace Officers' Bill of Rights (POBOR).

Employee Representation:

Officers or deputies are allowed to have their choice of representation present during interviews, including the voluntary interview conducted by the Homicide Unit. Typically, legal representation are on-call 24 hours a day and will be notified in the event of an officer-involved incident by the officer or deputy's agency.

Involved Officer Walk-Through / Interview Procedures:

Because the walk-through and interview are voluntary, the officer or representative may stop them at any time at their discretion.

The homicide lieutenant will discuss with the representative whether a voluntary walk-through would be helpful and if the officer is willing to participate in the walk-through or provide a voluntary statement regarding the incident. If the walk-through is warranted and the officer consents, they will be transported back to the scene to participate. This walk through is part of the investigative process as opposed to the initial public safety statement provided by the officer. The involved agency's Internal Affairs may attend the homicide briefing and walkthrough. When the walk-through is completed, the team sergeant and lieutenant will make arrangements for an interview of the officer. The officer may ask to complete a "sleep cycle" prior to an interview. Reasonable accommodations for such requests should be made. All inquiries concerning the involved officer's actions are subject to the Peace Officers Bill of Rights. Internal Affairs will not attend the voluntary interview.

If no criminal liability is suspected, homicide investigators will give the involved officer an opportunity to provide a voluntary statement. It is important that officers understand the need to articulate facts that led up to the shooting or incident. Most important is the officer's ability to convey, in detail, their frame of mind at the time of the incident. This factor is weighed heavily by the District Attorney's Office when reviewing officer-involved shooting cases.

The interviewing sergeant will complete the Officer-Involved Incident Check List at the beginning of the interview. The Check List will be included in the investigative book but will not be recorded. The representative will record the balance of the interview and can ask questions of the officer during the interview or ask the officer to clarify a response.

If, at any time preceding the interview, a potential for criminal charges against the officer is realized, they shall be admonished of their Miranda Rights. A Homicide Lieutenant will be consulted prior to an officer being admonished.

Should an officer decline to participate in a voluntary interview, investigators shall not compel participation. The investigator may have to conduct the investigation without the officer's

statements. This may be done with the aid of witness information, witness officer statements and physical evidence. If a department's Internal Affairs compels an interview, Homicide personnel will not attend the interview nor use the compelled information.

Body Worn Camera Review:

Prior to the interview, the shooting officer(s) and his/her representative will be given an opportunity to view only their own body worn camera (BWC) video, if it is available. Homicide detectives will download the video evidence onto a disc or other media and provide it to the officer and their legal representative. If the process of locating BWC video becomes unreasonably delayed, the shooting officer and their representative will have the option of rescheduling the interview for an agreed upon later time.

Officers or deputies should not be allowed to review any other video evidence other than their own body worn camera. This includes surveillance video as well as BWC videos from other officers or deputies.

Processing Involved Officer:

With the assistance of Lab personnel, an investigator shall, as soon as practical:

1. Photograph the officer in the clothing worn during the incident.

2. Photograph and note damage to clothing, other police equipment or injuries.

3. Collect clothing items as appropriate (evidence only) including bloodstained, torn, bullet holes, etc.

4. Collect other items of police equipment that may show damage or indicate the amount of force used during the incident, by or against the officer.

5. Photograph involved officer's shoe patterns for crime scene comparison, as appropriate.

6. Test officer for gunshot residue evidence, as appropriate.

7. Determine if the officer's weapon was holstered immediately after the incident.

8. Photograph other involved police equipment and impound as evidence, if necessary

9. The officer's duty weapon shall be taken from them during processing, and a loaner weapon should be supplied by the officer's agency.

10. Blood testing (if applicable)

- Blood will generally not be taken from officers as part of a criminal investigation. Consult with a homicide lieutenant.

- With a properly implemented policy and testing procedure, blood may be taken as part of an administrative investigation

Internal Affairs:

Internal Affairs for an officer's department will review the incident to determine whether Department rules, regulations, policies and procedures were followed.

Internal Affairs for an officer's department may attend the briefing and walk-through for all OIS incidents investigated by San Diego Police Department. They will not attend the voluntary interview.

Internal Affairs attendance at OIS incidents involving SDPD personnel outside the City may be restricted by the jurisdictional agency.

Training Unit:

Representatives from the Training Unit will respond to OIS incidents. They may attend the briefing and the walk-through. They will not be present during any interviews. Their purpose is to identify any training issues that require immediate attention on a Department wide level.

District Attorney Presentation:

The sergeant of the investigating team will prepare and present a presentation of the facts of the OIS generally within 3 working days to a panel consisting of representatives from the District Attorney's office, the FBI Civil Rights Division, and the US Attorney's office. The purpose of the presentation is to assist in determining what charges, if any, are appropriate and if there are any civil rights concerns.

District Attorney Notification Letter:

Notification protocol has been established with the District Attorney's office for police shootings, in-custody deaths, and criminal cases with police officer suspect(s). The Investigations II Captain will be responsible for notifying subject officer(s) via their command or department and, as appropriate, will provide information to Media Relations for subsequent release to the press in police shootings and in-custody death cases.

Police Shooting Review Board:

At the discretion of the Chief of Police, the Shooting Review Board (SRB) will also review all OIS incidents to determine if the tactics employed were appropriate and to discover and advise

the Chief of Police of any related training or equipment needs. This review occurs after internal and criminal investigations are completed. See DP 1.43, Officer Involved Shooting Investigation Procedures, for details.

The Police Shooting Review Board will later conduct a full review of incidents in which a police officer discharges any firearm on- or off-duty. The purpose of their review will be to determine if department rules, regulations, policies and procedures regarding the use of firearms were followed, and to discover and advise the Chief of Police of training needs.

Shooting Incidents in San Diego by Non-Signatory Agencies:

In accordance with countywide protocol (MOU retained in the Chief's Office), the San Diego Police Department is the primary investigative agency for officer-involved shootings intentionally directed at a person and other uses of force resulting in death, occurring in the City of San Diego, involving officers of any federal, state or local law enforcement agency that is a non-signatory to the Countywide OIS MOU protocol dated March 7, 2022.

The agency that employs the involved officer may conduct a concurrent investigation of the incident. Concurrent investigations shall be conducted jointly, with full cooperation by the investigators representing all agencies. Information or reports developed by investigators shall be made available to all involved agencies, as needed, and as permitted by law.

When an employee of a federal law enforcement agency is involved in a shooting incident resulting in injury or death, or other type of incident resulting in death, the completed investigation will be forwarded to the United States Attorney's Office for review.

In most shooting incidents involving outside agencies, those officers are in San Diego regarding an investigation or operation originating with their own agency. SDPD investigators must remember that our OIS investigation is the priority investigation. We will not relinquish or lose command of such investigations. Keeping them separate allows SDPD detectives to conduct and complete what can only be judged as impartial and unbiased investigations. Suggestions in this regard include keeping outside agency personnel with any involvement in the shooting incident, however slight, out of investigative briefings, the collection or retention of evidence, and similar aspects of the investigation where bias may be perceived.

If investigative follow-up assistance is requested, such as duplication of tape recordings, videotapes, or photographs, the employing agency will contact the Homicide Team handling the incident.

Completion of the Investigation:

Within three working days of the incident, the Homicide Team will provide a verbal briefing to the District Attorney's Special Operations Division. The briefing shall include a verbal review of the evidence, witness, statements, and status of the investigation. The District

Attorney's Office will not be provided copies of reports until the investigation is complete and has been routed through the Department's chain of command.

When the investigation is complete, it will be approved by the Homicide Sergeant, Lieutenant, Captain of Investigations II, and the Assistant Chief of Centralized Investigations.

Upon completion of the investigation, the case shall be provided to an agency's Internal Affairs Unit and District Attorney's Office (Special Operations Division) for review.

In-Custody Death Investigations:

The Homicide Unit is responsible for investigating all instances involving the death of any person in the custody of a signatory agency to the Countywide OIS MOU dated March 7, 2022. "Custody" means more than being chased or contained by officers and begins at a point in time when officers have engaged in physical contact with a person, employed either a lethal or less than lethal weapon, or have handcuffed the person.

Government Code 12525.2.(a) requires each law enforcement agency in the State to furnish an annual report to the Department of Justice of all instances when a person dies while in the custody of a peace officer. Operational Support is responsible for annual reporting. **Each police agency is responsible for reporting their OWN deaths, and not the deaths of another agency, regardless of which agency conducted the investigation.**

Crime Statistics and Reporting Under the County-Wide OIS Protocol:

To ensure transparency and accurate statistical reporting under the countywide OIS protocol, the following procedures shall apply:

For OIS investigations conducted by San Diego Police Department Homicide the jurisdictional agency will complete the preceding crime report (i.e. the crime that led up to the OIS). This agency may be separate from the agency involved in the OIS if the shooting occurred outside of the officer's jurisdiction (e.g. a San Diego Sheriff involved in a shooting near the courthouse)

SDPD Homicide will complete a crime report for an OIS Investigation. Once the District Attorney has made a charging decision (either clearance or charging), the agency that employs the officer involved in the OIS will complete either a 187 or 196 crime report.

For OIS investigations conducted by the San Diego Sheriff's Office Homicide (SDPD involved in the OIS) the jurisdictional agency will complete the preceding crime report (i.e. the crime that led up to the OIS). This will likely be completed by SDPD Homicide if the OIS occurs in the City of San Diego. However, it could be another agency if the shooting occurred outside the city limits (e.g. a task force officer involved in a shooting in El Cajon). Investigating the preceding crime, if SDSO decides to bifurcate the case, the preceding crime will be handled by

the appropriate SDPD specialized unit, or SDPD Homicide.

SDSO Homicide will complete a crime report for an OIS Investigation per their policies. Once the District Attorney has made a charging decision (either clearance or charging), SDPD Homicide will complete either a 187 or 196 crime report.

If multiple agencies are involved, then the general principles are to generate crime reports in the most appropriate manner to ensure accurate reporting. The jurisdictional agency will generally handle the predicate crime. The investigating agency will generate an OIS investigation. At charging or clearance, the agencies employing officers involved in the OIS will complete either a 187 or 196 crime report.

SECTION VI

PROCESSING OF VICTIMS & SUSPECTS

<u>Processing Victims:</u> (The following processes are generally followed but may be modified at the discretion of the investigative personnel, depending on the specific facts of a given case.)

1. Attendance at Autopsies:

    a. The homicide scene investigator and Crime Scene Specialist will attend all autopsies to brief the pathologist, to answer questions prior to the beginning of his/her examination of the decedent, and to collect evidence from the decedent.

    b. The Crime Scene Specialist will be responsible for bringing all clothing and other evidence removed at the crime scene to the autopsy, when appropriate, and answer questions asked by the pathologist concerning the removal of clothing or other items at the scene.

    c. The Crime Scene Specialist will be responsible for the handling of clothing or other items of evidence removed from the decedent prior to and during the autopsy.

2. Processing at the Medical Examiner's Office:

    a. Complete photographs of the decedent in the condition they arrived at the morgue.

    b. Describe and photograph the decedent in any clothed condition.

    c. The pathologist or forensic autopsy specialist will remove any clothing worn by the decedent.

        - The Crime Scene Specialist will collect any clothing.
        - The Crime Scene Specialist will collect the bags removed from the decedent's head, hands and feet.
        - The attending investigator will evaluate whether the crime scene specialist should collect the body bag and/ or sheet.

    d. Describe and photograph the decedent in the unclothed and unwashed condition.

        - Document all injuries.
        - Ligatures, tying devices, knives or any other puncture-type devices will not be removed from the decedent. Only the pathologist will remove these objects.

    e. Photographs of:

        - Face - I.D. photo

- Hands (close-up, both sides)
- All wounds
- Scaled photos of bite marks
- Scaled photos of gunpowder tattooing

f. Obtain physical information of decedent, i.e. height, weight, color of hair and eyes.

g. Evidence samples typically collected:

- Blood
- Body hair
- Fingernail scrapings
- Hand and facial swabs for gunshot residue
- Head hair
- Pubic hair
- Mouth swab

h. If sexual contact is a possibility, obtain;

- Anal swabs
- Oral swabs
- Penile/vaginal swabs
- Swabs of any other area suspected of sexual contact

i. Describe and photograph the decedent in the unclothed and washed condition. *Note: The decedent will not be washed prior to being viewed by the pathologist.*

j. Collect prints from the decedent.

k. Collect any missiles the pathologist recovers from the decedent's body.

3. <u>Disposition of Evidence:</u>

a. The Crime Scene Specialist will be responsible for transporting all evidence to police headquarters.

b. The Crime Scene Specialist will inventory all evidence collected and prepare an evidence list, including barcode numbers. A copy of the evidence list will be attached to the property tag in the property room.

c. The Crime Scene Specialist will be responsible for the proper storage of all evidence collected.

<u>Processing Suspects:</u> (The following processes are generally followed but may be modified at the discretion of the investigative personnel, depending on the specific facts of a given case.)

1. Photographs of suspect:

    - Close up face - I.D. photo
    - Full length I.D. (Note: Suspect should be photographed wearing the clothes when arrested)
    - Hands (both sides)
    - Torso (bare, front and back)
    - Any injuries (abrasions, bruises, burns, lacerations, fractures, swelling, redness, etc.)
    - Tattoos, birthmarks and scars
    - Scaled photos of bite marks

2. Samples typically collected from suspects include:

    - Body hair
    - Fingernail scrapings (Note: Obtain this prior to fingerprinting)
    - Hand and facial swabs for gunshot residue
    - Head hair
    - Pubic hair
    - Mouth swab/DNA

3. If sexual contact is a possibility, consider a SART Exam or obtaining:

    - Anal Swabs
    - Oral swabs
    - Penile/vaginal swabs
    - Swabs of any other areas of suspected sexual contact.

4. Obtain Major Case Prints.

5. Obtain all clothing.

6. Depending on the type of case and evidence needed, detectives may elect to obtain a handwriting exemplar, blood, urine, or Intoxilyzer sample.

7. Disposition of Evidence:

- The Crime Scene Specialist will be responsible for all evidence collected.
- The Crime Scene Specialist will inventory all evidence collected and prepare an evidence list, including barcode numbers. A copy of the evidence list will be attached to the property tag in the property room.
- The Crime Scene Specialist will be responsible for the proper storage of all evidence collected.

Impounding Vehicles for Processing:

Vehicles impounded by the Homicide Unit for processing are towed to, and stored at, the Northwestern Division Evidence Processing facility and placed into one of the available sheds or bays. The case agent and Crime Scene Specialist will coordinate the transport of vehicles to Northwestern Division via the Watch Commander.

See DP 3.03, Impounding/Releasing Vehicles with Evidentiary Hold, for full details.

AUDIO/VIDEO RECORDINGS

Suspect/Witness Interviews:

Suspect interviews will be both audio and video recorded, whenever possible. Witness interviews may be audio and/or video recorded (or neither), at the discretion of the investigative team. This decision would be based on the importance of the witness statement and the likelihood of the witness being available for courtroom testimony or changing their testimony in court. Video recordings of crime scenes will also be at the discretion of the investigative team. The interviewing investigator will include in the report the fact that an audio and/or video recording was made.

Disc Disposition:

Disc Labels:

In order to maintain custody, each audio and video disc will be labeled with the following information:

- Date and time of recording
- Case Number
- Interviewee’s name
- Interviewer's name(s) or initials and ID number(s)

Disc Impounds:

The disc(s) will be forwarded to the case agent assigned to the case when the investigative team is ready to have the disc impounded. The case agent will impound the disc and assign it a barcode number, which the Crime Scene Specialist will document on the evidence list. Audio and video recordings will be stored and retained with all other evidence in the homicide case.

Quality of Content:

Tape and disc recordings will never be destroyed, regardless of the quality of the content. All tapes/discs, regardless of quality, possess some evidentiary value and will be impounded and retained in accordance with Unit policy.

Duplication of Recordings:

Requests for duplicates of recordings from outside the department, e.g. the District Attorney's Office or private attorneys, will be honored. Tapes for the District Attorney or defense attorneys will be transported to the District Attorney's Technical Division, where they will be logged in to provide a chain of custody. The District Attorney's Technical Division will make duplicates for their office and for defense attorneys. Originals will then be returned to the Homicide Team for impounding with the case evidence. Recordings in civil cases, upon receipt of a subpoena, will be duplicated in compliance with Department Procedure.

SECTION VII

CRIME SCENE EVIDENCE & IMPOUNDS

Evidence/Property Collected/Original Reports or Documents:

Evidence or property will be collected at the scene by investigators and/or Lab personnel. All evidence and/or property will be appropriately preserved and marked. All evidence and/or property will be transported to the lab for examination. No evidence and/or property will be released to anyone, either temporarily or permanently, without first completing a chain of custody evidence card, which will be made part of the permanent case record.

Evidence Inventory:

The crime scene specialist/crime lab personnel will inventory all evidence/property collected and prepare an evidence list, including the disposition and barcode numbers.

Evidence Depository:

The crime scene specialist/crime lab personnel will place the evidence/property in the Property Room.

Disposition of Evidence/ Impounded Property:

The disposition of impounded property is the responsibility of the Homicide Team handling the investigation. Generally, evidence related to a homicide, OIS, or ICD should be marked "Retain for 99 years" in the evidence system. In no event will homicide evidence for completed cases (after trial, sentencing and appeal) be disposed of or destroyed without the approval of the District Attorney's office or a court order.

Photographs:

All original photographs taken by Laboratory personnel shall be retained by the laboratory for discovery purposes.

Unsolved Cases:

Impounded evidence related to any unsolved homicide case will not be destroyed without first contacting a Lieutenant(s) in charge of the Homicide Unit for approval. All open case files are retained in records division. Older unsolved case files are warehoused in a locked enclosure

on P-2 parking level at HQ. The key is kept in the Homicide Unit office and is available to Homicide personnel.

For instructions on Impounding Procedures, see DP 3.02, Impound, Release, and Disposal of Property, Evidence and Articles Missing Identification Marks.

SECTION VIII

LABORATORY WORK REQUESTS

LABLynx is the laboratory work request tracking system used to track all requests submitted to the lab. LABLynx is used by investigators to submit requests, check status of requests, and upload consent forms related to their investigations.

1. The homicide team sergeant will consult with the requesting detective and review all evidence processing requests prior to submittal to the Crime Lab. The requesting sergeant is responsible for the proper completion of all Lab requests.

2. The team sergeant will consult with a lab supervisor and/or the crime scene forensic specialist to determine what evidence needs immediate processing and what can be retained for future processing.

3. In cases where a suspect is in-custody, or an arrest is pending, the assigned Deputy District Attorney will be consulted as to what evidence needs immediate processing. This consultation will also include a lab supervisor and/or the crime scene specialist.

4. After a trial date is set and prior to trial, the team sergeant will meet with the assigned deputy district attorney, lab supervisor and/or crime scene specialist to ensure all evidence necessary for trial has been processed. At this point, the deputy district attorney may request processing of any additional evidence.

SECTION IX

HOMICIDE RECORDS

Release of Homicide Reports - General

See SDPD Department Procedure 1.26 and SDPD Policy Manual 1.26 for procedures regarding the release of all official reports, including all Homicide Reports. Homicide personnel will follow these procedures and guidelines.

Government Code: California Public Records Act (CPRA)

City Administrative Regulation 95.20 – CPRA Process specifies how the City will respond to California Public Records Act (PRA) requests. The City CPRA Program Manager administers the process of how City Departments respond to requests. An SDPD Records Division Analyst administers the process for the Department. All PRA requests must first be accepted via Records Division, then disseminated by the program analyst prior to official response. All PRAs will have a control number assigned by Records Division.

SECTION X

PRESS RELEASE and MEDIA RELATIONS

The responding lieutenant will prepare and disseminate all related press releases. The press releases will be as factual and transparent as possible without jeopardizing any aspect of the investigation at hand. Names of decedents and other victims will not be released prior to notifying family members. In OIS incidents, names of involved officers shall not be released for at least 48 hours following the incident, and not before the DA presentation has occurred.

All members of the Department are encouraged to cooperate fully with authorized news media in providing information to the public about the affairs of this Department in which the public has a legitimate interest. However, the lieutenant on scene has the responsibility for conducting all media interviews at all Homicide Unit scenes and all follow-up interviews relative to those cases. A higher-ranking officer may assume that responsibility when they choose to do so.

For complete information, see D.P. 1.30, Press Release and Media Relations.

SECTION XI

HOMICIDE CASE FILE FORMATTING

Homicide Case Files, Officer-Involved Shootings and Officer-Involved Incidents should be organized in a consistent, orderly and easy to read manner. The following format will be adhered to in all cases.

1. All investigations prepared by the Homicide Unit, commonly referred to as "books", will be organized using standard San Diego Police Department Homicide Investigation Dividers. Dividers are available in the Homicide Unit office.

2. All pertinent case information will be filled out at the top of Divider #1.

3. If there are no reports to be filed in a given section, that fact will be clearly stated on the numbered divider for that section.

4. The first page of each numbered section will consist of a modified chronological report (see report form in Section X) listing the type of report, date and time of report, officer filing the report, date the report was submitted to the District Attorney and the name of the officer transmitting the report to the District Attorney. Reports listed should be by title and name of subject; i.e., Witness Interview Jones.

5. If a given witness is interviewed more than once during an investigation, reports pertaining to that witness should be filed in the order of interview. They can also be filed side by side, which makes for much easier reading by people reviewing the case.

6. In every case involving physical evidence, a LABLynx lab request will be submitted by the Homicide Team conducting the investigation. A copy will be placed in the appropriate section of the book.

7. Every lab report must have a corresponding Results of Analysis report from the lab included in the book.

    - Every report in the case file should be approved by the team sergeant before it is submitted to the lieutenant for review. When reports are determined to contain errors, they should be returned to the originating officer for correction. Corrected copies should then be distributed to the work file, the District Attorney file and the original case file.

    - Reports concerning officer-involved shootings and/or officer- involved incidents will not leave the Homicide office until reviewed and approved by the lieutenant in charge of the investigation.

SECTION XII

CRITERIA FOR HOMICIDE CASE CANCELLATION

CRITERIA:

Crime cases may be canceled under only one of the following conditions:

Canceled by Arrest:

Suspect is arrested and charged with the offense; suspect is arrested, but charged with a lesser included offense; suspect is arrested out of state and tried in that state, and is not likely to return to California; or a Notify Warrant is served for the suspect.

Canceled by Exception:

Suspect is arrested or identified, and the victim refuses to prosecute; the city or district attorney refuses to issue a complaint because of prosecutorial discretion, and the suspect has not been arrested; the city or district attorney refuses to issue a complaint because of a defective arrest; a Notify Warrant is requested but not issued; extradition is denied; or the suspect dies or commits suicide.

Canceled as Unfounded:

The investigation proves the crime did not occur (elements not present, false crime report, lost property, etc.); or there is no victim.

Crime cases cannot be canceled simply because a warrant has been issued; the case cannot be canceled until the warrant is served. It is permissible to cancel when a suspect provided sufficient information to indicate that he is responsible, even though the information might be provided outside his Miranda Rights or for some other reason cannot be used for prosecution purposes. Cases cannot be canceled based solely on the suspect's method of operations.

CASE REVIEW:

A regular review of all open cases shall be conducted to determine if any open cases should be inactivated. Case Review is a cumulative process, reviewing all open cases assigned to each team.

The Homicide Unit Lieutenants will meet with sergeants, individually, to discuss each open case in detail, and to discuss what steps have been taken (or need to be taken) to bring the case to closure.

All inactivated cases will require a summary report. The summary report will briefly describe the crime, all investigative steps taken, and significant evidence, which may help identify a suspect in the future. The summary report should not be a detailed report on specific witness statements or a summary of routine investigative work. The report should give the reader a basic idea of what was done and where the investigation ended. Opinions and theories should not be included in this report. See Section 10 for a sample Summary Report.

If it is determined a case should be inactivated, the detective sergeant should ensure that all original evidence has been impounded appropriately and the original case file containing all the reports is moved to records. Any working copy case files shall be impounded in the property room.

SECTION XIII

MISCELLANEOUS

Confidential Informants:

Due to the critical nature of homicide investigations and prosecutions, the use of information obtained from an informant source must be carefully considered. Any information emanating from an informant source must be brought to the attention of the team sergeant and lieutenant. Prior to using such information, the prosecuting DDA must be consulted. If no DDA has been assigned to the case, guidance from the police legal advisor is required.

Refer to DP 3.16, Informant Procedures, and the Investigative Procedures Manual for proper handling of informants.

Foreign Nationals:

Guidelines for managing all foreign nationals who are victims or witnesses to certain serious crimes, including homicide, are strictly regulated by the Department of Homeland Security and the US Attorney General's Office using an S,T, or U Visa, or the I-94 process via Customs and Border Protection. Their expertise is required in all cases where permission is sought to allow a foreign national to remain in the United States for the purpose of participating in such investigations or prosecutions.

Investigative Funds:

Refer to the Investigative Procedures Manual for guidelines on the proper use of Investigative Funds. Any question regarding the use of funds must be vetted through the team Lieutenant prior to the expenditure. A homicide lieutenant will be responsible for monthly reporting of investigative funds to the Narcotics Unit lieutenant.

At the discretion of the homicide lieutenant or captain, investigative funds may be authorized to facilitate investigations in compliance with the countywide OIS MOU protocol.

Operations Planning:

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

An Operation Plan (PD-1195) will be completed prior to any "knock and talk" search, parole or probation search, high-risk entry, or search warrant service. An Operation Plan will also be required for any pre-planned operation in which an undercover detective or operative will come into contact with a potential suspect, any pre-planned surveillance where the anticipated purpose

of the surveillance is to effect an arrest, search, or to interrupt a crime, or any other operation at the discretion of a unit supervisor.

A Homicide Unit supervisor shall be present during the briefing and execution of the following: Search warrants, arrest warrants, probation/parole searches and "knock and talks", and any investigation/operation involving the need for coordination between our department and outside agencies.

The case agent will be responsible for completing the Operation Plan. The Operation Plan is to be completed in its entirety and approved by a Homicide Unit supervisor prior to the operation. All locations and people must be de-conflicted through SD-LECC prior to executing the operation.

A briefing with all assigned personnel prior to the operation is required in all cases. The case agent will conduct the briefing prior to the operation. The Operation Plan will be read at the briefing, and all other relevant information will be shared with participants. If copies of the Operation Plan are distributed at the briefing, the case agent will collect and destroy all unneeded copies. Copies of all Operation Plans will be given to the Homicide Unit lieutenant. A copy will be placed into the case book.

Planned forced entries provide an added level of risk to law enforcement officers. In an effort to mitigate this risk, a standardized assessment of each operation is necessary to ensure safety for all involved, as outlined in the San Diego County Regional High-Risk Entry Checklist. This checklist is to be used in all cases where a high-risk entry is anticipated. The case agent will be responsible for completing the checklist. The case agent and supervisor will contact SWAT and discuss the appropriate tactical response. If SWAT is conducting the entry, the case agent will attend the debrief and share relevant information with the case supervisor and personnel assigned to the operation.

Operations Outside the City:

The Homicide Lieutenant will be notified prior to any pre-planned operation outside the city. When working outside the City of San Diego, personnel will advise the concerned law enforcement agency of their location and provide a brief synopsis of their investigation.

The Watch Commander and Communications will be notified prior to the execution of all search warrants and arrest operations.

Requests for Mexican Liaison Officers:

The Department Mexican Liaison Officer or Supervisor in the Criminal Intelligence Unit (CIU) must be notified as soon as possible whenever an identified Mexican national is the victim of a homicide in the city of San Diego.

Incidents frequently occur along the U.S.-Mexican border that require the assistance of the CIU Mexican Liaison officers. The following notification procedure is requested:

- The CIU-International Liaison Team (ILT) should be notified when a Mexican national is the victim of a homicide and we cannot locate or identify the next of kin
- The ILT supervisor should be notified if it is believed the homicide has a possible nexus to Mexico
- The ILT supervisor should be notified if the victim or suspect is determined or believed to be a member of the Mexican government, law enforcement, or business community
- Any time the ranking supervisor believes the homicide victim or suspect is a member of a transnational drug trafficking organization

Travel Approval Procedure:

Homicide Unit personnel may be required to travel out of town during the course of an investigation or prosecution. Associated costs are funded through the City's General Fund. When such costs are necessary, a Memorandum with a case synopsis, the reasons for travel, and the estimated expense for travel, lodging, and meals is required. The memorandum will be addressed from the Investigations II Captain and to the Assistant Chief of Operations.

The sergeant of the requesting detective will be responsible for preparing the memorandum and for ensuring the estimated expenses have been vetted through the Fiscal Management Unit analyst responsible for coordinating the travel. The memorandum will then be routed through the chain of command. The current memo template can be found in the shared "F" Drive, Templates, Administrative, City Memo Template.

One day travel, which only incurs fuel expenses, does not require the approval of the Assistant Chief. Requests for one day travel should be requested via Memorandum directed to the Captain of Investigations II.

Underwater Crime Scenes:

SWAT divers are trained to perform underwater crime scene searches and may be called out to do so. Their divers are trained for search and recovery of evidence and recording underwater crime scenes. SWAT divers are available to assist other law enforcement teams within the county.

SWAT divers have dive limitations and restrictions. The following restrictions must be considered when evaluating the need for SWAT divers:

- Officers are not equipped to dive in contaminated waters. All requests must be limited to waters deemed safe for recreational swimming.

- Officers shall adhere to the O.S.H.A. standard of no dives deeper than 100 feet. Officers are not trained for decompression diving.

- Officers are not trained in swift water techniques. Dive operations will be conducted only in calm water.

SECTION XIV

ADULT MISSING PERSONS / COLD CASE

Adult Missing Persons Unit Case Responsibilities:

The Adult Missing Persons Unit has the responsibility to investigate, review and assist in:

- Missing adult cases
- Deaths that are not murders or traffic-related
- Suicides
- Tarasoff reports
- Teletypes regarding homicides, unidentified remains, and missing adults
- Requests from law enforcement agencies regarding homicides, unidentified remains, and missing adults
- Maintain statistical information on missing adults
- Assist medical personnel with the identification of certain medical and psychiatric patients

It is important to remember the existing emotional factors involved with each case. When dealing with the people involved, it is imperative to be not only professional, but also display empathy.

A weekly statistical report is to be completed and made available to the lieutenant by Monday morning of each week. From these reports, quarterly and annual reports will be compiled. These reports will be routed through the Adult Missing Persons Unit sergeant and the Homicide Section Lieutenant.

Staffing:

The Adult Missing Persons Unit consists of three Detectives. The Cold Case team consists of two Detectives. The operation of the unit is supervised by a Homicide Sergeant.

COLD CASE / MISSING PERSONS UNIT DUTIES:

Unit Sergeant:
1. Supervise the Adult Missing Persons Unit and Cold Case Unit detectives.

2. Provide the Homicide Lieutenant with weekly statistical and operational reports regarding at-risk Adult Missing Persons.

3. Review and approve missing person case cancellations.

4. Approve discrepancy notices on police reports requiring correction.

5. Perform all other supervisory duties as outlined in the Homicide Operations Manual, Section I.

Unit Detectives:

1. Accept completed reports on all adult missing persons filed through the Communications Unit or field officer contacts. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or run away.

2. A missing person's report must be accepted regardless of jurisdiction.

3. It is appropriate to initiate an investigation when the missing person is at risk or when a delay might significantly reduce the possibility of finding the missing person.

4. Explain and interpret Department Policy 3.17, which concerns adult missing persons, to reporting citizens.

5. Maintain log and file current status of adult missing person reports.

6. Coordinate possible foul play reports with Homicide Lieutenant and Homicide Team Sergeants.

7. Prepare local, state and national teletypes to locate or notify of adult missing persons, as circumstances dictate.

8. Conduct investigations into questionable missing adults to ascertain possible foul play and take appropriate police action. Handle all inquiries into reports received through the mail and respond, as required, by form letter or by other appropriate correspondence.

9. Monitor all information pertaining to missing adults as the centralized departmental source of information.

10. Perform liaison by personal contact in cases of extreme interest or, as required, to relieve other detectives and/or patrol personnel in ascertaining routine data in adult missing person cases.

11. Investigate missing adults by checking the Medical Examiner's Office, criminal records, city directory, ARJIS databases, Cal Law Enforcement systems, CHP accident logs, field interview information, or any other open-source information database.

12. Compose missing person flyers for distribution to the media and Area Commands, as required.

13. Forward dental x-rays and information to the California Department of Justice, as required by law.

14. Screen all death and suicide reports and report findings to the Adult Missing Persons Unit sergeant.

15. Cancel, via NetRMS, closed missing person cases.

16. Ascertain that "at risk" adults have been entered into the Missing Person System (MPS). DOJ mandates that these entries be made within two hours for at-risk individuals and all persons under the age of 21. Within 30 days, if the "at risk" person has not been located, inform the parents or other appropriate relatives that they may give a voluntary sample (mouth swab) for DNA testing or submit a DNA sample from a personal article belonging to the missing person (California Penal Code Section 14250).

17. Assist the Homicide Unit with the identification of missing persons believed to be homicide victims.

18. Initiate field contacts for information sources relating to the location of individual missing adults.

19. When requested, assist with the identification of adults not identified by medical personnel.

20. Dispose of all property impounded in the course of any investigation conducted by the Adult Missing Persons Unit in accordance with D.P. 3.02.
21. The sergeant shall make available to all investigators access to the **California Law Enforcement Web** which provides DOJ resources for missing person investigations and mandates.

DAILY PROCEDURES:

Missing Persons:

Obtain from Records Division on a daily basis:

1. Teletypes
2. Reports of threats against individuals requiring a Tarasoff Warning

Obtain from NetRMS on a daily basis:

1. Missing adult reports
2. Death reports
3. Suicide reports

Complete Log Entries on a daily basis:

1. Missing person
2. Tarasoff warnings

Teletype:

Review all teletypes provided and determine if any contain locate information. Follow up with originating agency when appropriate.

New Investigations:

Immediately initiate investigation on all new missing persons cases.

Case Cancellations – CRMS/NetRMS:

1. Cancel if the missing person has returned, been located, had police contact, or has in any way been accounted for.
2. Record the date and reason for cancellation in the log.
3. All cancellations are to be approved by the Adult Missing Persons Unit Sergeant.

Death Cases:

1. Review death investigations to identify potential suspicious death circumstances. If foul play is suspected, converse with the Missing Persons sergeant to evaluate for possible investigative follow-up.

2. Questions on the cause of death can be answered by contacting the San Diego County Medical Examiner's Office.

3. Maintain contact with the Medical Examiner's Office regarding "John/Jane Doe" cases. Check to see if a Missing Person Report has been filed. Update the NetRMS entry with the true identity of the “John/Jane Doe” once determined by the Medical Examiner’s Office.

4. Ascertain if the decedent is a wanted person. If so, notify the agency holding the warrant/want.

5. SB 989 “Hidden Homicide” investigations – if the decedent has identifiable history of being victimized by domestic violence, ensure the following steps are taken during the follow-up:

    a. Attempted contact of family and close friends.
    b. Reviewed associated scene photographs and BWC footage.
    c. Ensure the Medical Examiner’s Office has any new relevant information.

Suicides:

1. Review suicide investigations to identify potential suspicious circumstances. If foul play is suspected, converse with the Missing Persons sergeant to evaluate for possible investigative follow-up. Some questionable areas may be answered by contacting the San Diego County Medical Examiner's Office.

2. The method used should always be noted or highlighted on the report.

3. Check for a Missing Person Report and for any reports of prior suicide attempts.

Validations:

1. Review the DOJ monthly validations for missing person cases and unidentified remains cases.

2. Per DOJ guidelines, the requirements for the validation check includes checking local, state, and national databases for the missing person along with attempts to contact the

reporting party. Discretion may be used in contacting the reporting party for cases where it is a suspected death such as an accidental drowning.

3. For older cases only held in paper format, a spreadsheet shall be attached to the file providing room for notes on the validation follow up.

4. For CRMS-to-NetRMS transfer cases, the validation follow up shall be documented in the Case Log.

5. For current NetRMS cases, the investigator shall document the validation follow up in their investigator's report or the Case Log.

6. This follow-up information shall be used to assist in documentation during DOJ or FBI audits.

TARASOFF REPORTS / TARASOFF v. REGENTS of UNIV. OF CALIFORNIA:

As the result of the above 1979 court case, a **duty to warn** potential victims when a state (or city) employee learns of threats made against a specific identifiable person is required. This case has been further interpreted to limit this duty to identify specific victims. A threat made against a group or non-identifiable individual would not impose a duty to warn. However, should an officer or any employee of government hear a person threaten a specific individual who can be identified, a duty to warn arises and failure to warn can lead to liability should the failure to warn result in harm to the potential victim.

The duty to warn does not, in and of itself, imply a duty to protect. Thus, an officer can warn without necessarily creating any other recognizable special relationships with the potential victim. To avoid liability, the officer should warn the potential victim, tell the potential victim who it is that has made the threat, and relate the words of the threat. The officer should advise the potential victim that all the officer is doing is passing on this information so that the victim can take all necessary precautions against the person making the threat. The officer should not promise any kind of protection to the potential victim. If the officer makes any kind of promise, such as promising to notify the victim when the suspect gets out of jail, a failure to keep the promise will result in potential liability.

Tarasoff Procedures:

1. Upon receipt of a Tarasoff Report, it is to be logged in the appropriate manner.

2. Review the report to be sure the person threatened has been properly notified, if possible. Notify the intended victim, if necessary. Ensure the name and contact information of the health professional making the Tarasoff notification is documented.

3. Ascertain if the report has been entered in ARJIS. If not, complete the top portion of ARJIS-9 and send it to Teletype.

4. Complete "Law Enforcement Report of Firearms Prohibition" through the California DOJ MHRS website at https://mhrs.doj.ca.gov/displayLogin .(Note: MHRS does not accept submissions for subjects under the age of 17.)

FILING AND RETENTION OF REPORTS:

Initial Report Intake:

Reports of missing adults are taken by the Communications Division, the Telephone Report Unit or a field officer. Reports are not taken by the Missing Persons Unit.

1. All original copies of the report remain in Records Division.

2. If an MPS entry has been made by the San Diego Police Department, confirm that the agency of jurisdiction has made an entry. Cancel our entry when the report cancellation is completed. Confirm if the agency with jurisdiction has entered the Missing Person report in MPS.

3. For missing person cases not canceled, if the subject is considered "at risk" due to extreme age, physical or mental disabilities, suicidal tendencies, etc., immediately initiate procedures to attempt to locate that person as soon as possible. The missing person should be immediately entered into MPS (Missing Person System) via Teletype. DOJ mandates that entries be made within two (2) hours. Teletypes should be sent to all law enforcement agencies within the appropriate region(s). The MPS will automatically make the entry into NCIC.

4. Continue investigation for thirty (30) days, then follow the procedures outlined in "Steps for Department of Justice Entries."

Missing Persons Reports:

Log all missing person reports into the Adult Missing Person database.

Out of Jurisdiction Reports:

On occasion, a report will be accepted for persons missing from another jurisdiction. The jurisdiction from which the person is missing has the investigative responsibility for the case. We will assist, as necessary, with the investigation within the city of San Diego. The decision to enter the missing person under the San Diego Police Department ORI will be made after conferring with the Missing Persons sergeant based on the totality of investigation and according to 14211 PC.

Death and Suicide Reports:

Death and suicide reports will be documented in NetRMS.

Tarasoff Reports:

Tarasoff Reports will be documented in NetRMS.

DEPARTMENT of JUSTICE ENTRIES:

Before a person has been reported missing for thirty (30) days: Document the option for next of kin to provide a DNA sample and dental records of the missing person.

1. If family members wish to submit a DNA sample, the detective will provide the appropriate Family Reference DNA Collection Kit supplied by the California Department of Justice Missing Persons DNA Program. If the provider does not live locally, the detective shall coordinate with the local law enforcement jurisdiction for collection.

2. If the family member is willing to release the missing person's dental records, send them a Request to Release Dental Records (Form SS-8567) with the DOJ form letter.

3. When the Request to Release Dental Records is returned to the Adult Missing Persons Unit, forward to DOJ along with a copy of photograph and missing person report.

4. Note the date the subject was entered into MPS and the date the information was sent to DOJ on the file copy of the Missing Person Report.

FIREARMS PROCEDURES:

Request for Release of Firearms:

1. If the next of kin requests release of a firearm, the Medical Examiner's Office shall be contacted to verify the manner of death is "suicide". Submit a request in FileOnQ under "10 – FIREARM OK FOR DISPOSITION". Advise the requester to contact the Gun Desk who will explain the process for obtaining the firearm.

2. If there is any suspicion that manner of death is not "suicide" confer with the Homicide Lieutenant for potential investigative follow-up. (In this case, DO NOT release the firearm.)