

SAN DIEGO POLICE DEPARTMENT

DOMESTIC VIOLENCE UNIT



OPERATIONS MANUAL

Nothing in this manual is intended to supersede or contradict the San Diego Police Department Policy and Procedures or any Department Order or bulletin, which constitutes Department policy promulgated by the Chief of Police

August 2020

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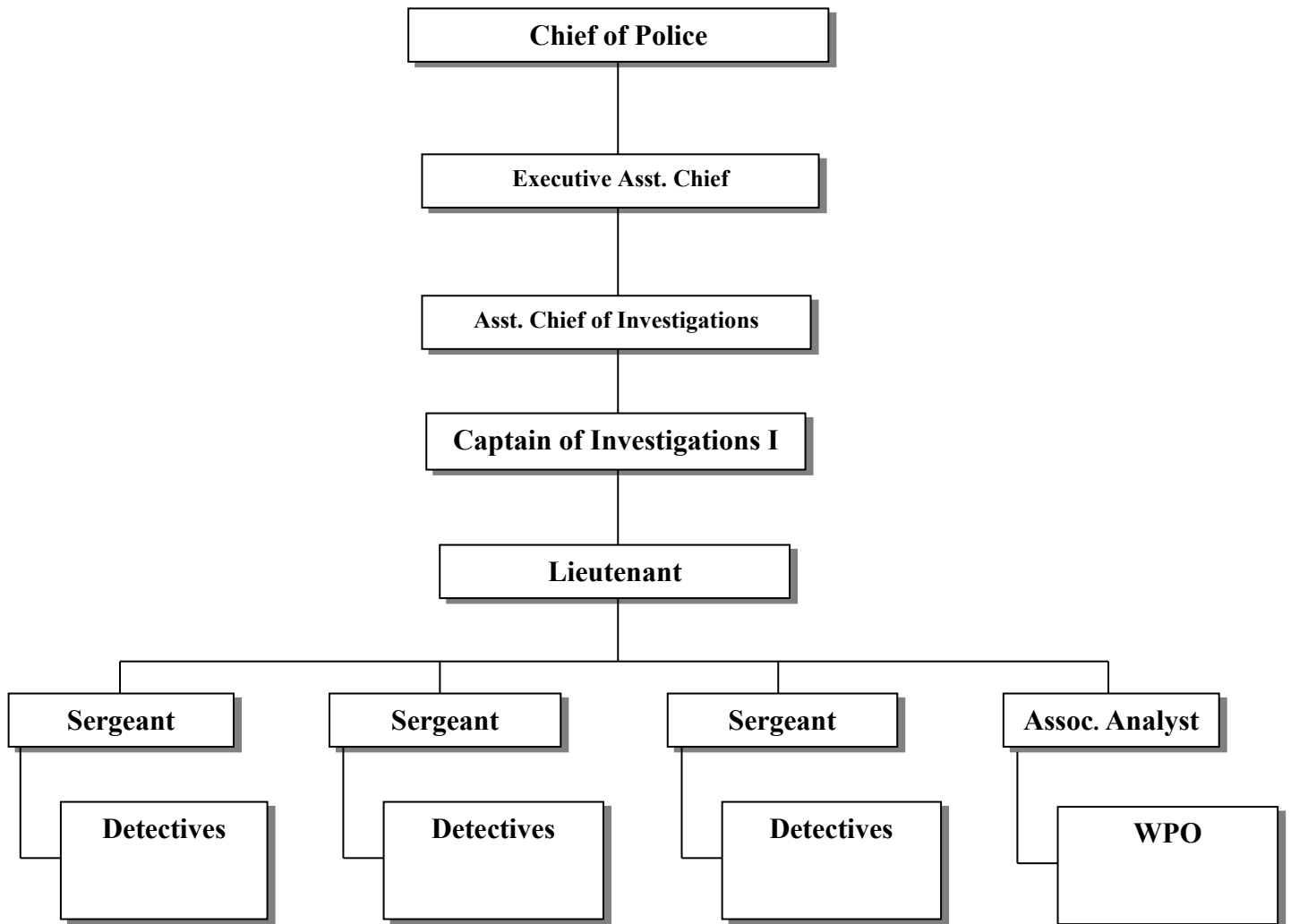
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INVESTIGATIONS I Domestic Violence Unit



SECTION I

INTRODUCTION

INTRODUCTION & PURPOSE

Nothing in this manual is intended to supersede or contradict the San Diego Police Department Policy and Procedures, or any Department Order or Bulletin, which constitutes Department policy, promulgated by the Chief of Police.

It is essential that uniform procedures be established and maintained throughout the investigative processing of domestic violence cases. The purpose of this manual is to ensure consistency among all members assigned to the Domestic Violence Unit. The phrase “Member” will be repeated throughout this manual, which will represent all personnel assigned to the Domestic Violence Unit.

It will be the responsibility of each member assigned to this unit to be aware and comply with all of the procedures set forth in this manual. Each detective member will have access to this manual via the computer or a hard copy.

Each supervisor will maintain a hard copy. It is their responsibility to ensure his or her copy is up-to-date. The support staff will maintain one master copy in their work area.

Changes to this manual will be made as deemed necessary by the Unit Lieutenant and/or Unit Sergeant. Any revisions will be processed through the Unit Lieutenant who will ensure a master up-to-date manual is kept and maintained in his or her office. Inspections will be made annually.

MISSION, GOAL & STRATEGIC PLAN

Mission

Numerous laws were enacted by the Legislature governing how domestic violence cases were to be investigated. Consequently the proper management of domestic violence cases was taking on greater importance as issues of civil and criminal liability arose in conjunction with the rapidly growing level of public awareness. In order to assure quality control over domestic violence investigations, on August 3, 1992, the San Diego Police Department formed a centralized Domestic Violence Unit, housed on the 6th floor of the Family Justice Center, located at 707 Broadway. On October 1, 2010, the Domestic Violence Unit and Family Justice Center moved to 1122 Broadway.

Our Mission is to provide a high level of assistance to the victims of domestic violence.

Goal

Our Goal is to investigate all domestic violence cases that come to our attention occurring in the City of San Diego.

Strategic Plan

Through adherence to this goal, the unit strives to:

- (1) Investigate each case thoroughly and in a timely manner;
- (2) Follow the guidelines set forth in the District Attorney and City Attorney's Domestic Violence Protocol;
- (3) Provide victims with information regarding the various support groups and;
- (4) Assist victims with the process of obtaining restraining orders.

SECTION II

GENERAL OFFICE PROCEDURES

GENERAL OFFICE PROCEDURES

I. Hours of Operation

Office hours are generally Monday through Friday 0800 hours to 1700 hours.

All members must have their work hours and days off approved by his or her supervisor. Any adjustments of hours or days off must be approved via their supervisor. Permanent assigned members are authorized twenty-four hour access to the office. Volunteers, temporary light duty officers, interns and clerical from the pool will generally work during normal business hours. Any deviation will need a supervisor's approval.

The doors to the office will remain locked at all times. The access door code will not be released to anyone not authorized to enter a secured police facility.

II. Telephones

Members should provide their individual work telephone numbers to the public and Department members in order to reduce the incoming calls to the support staff.

Voice mail will always be activated and used. Voice mail greetings will be professional, businesslike and cordial.

The duty detective will assist with incoming telephone calls when the support staff is not available or extremely busy with other tasks.

III. Closing the Office

The last member to leave will ensure all doors to the office are secured, the coffee maker is off, and the television in the break room is off.

IV. Work Areas

Each member of the unit is responsible for the appearance of their workspace. Workspaces should be clean and business like in appearance. Decorative items and personal pictures may be displayed; however, they must be neatly arranged.

V. Conduct

Conduct in the office will be business like and professional at all times. Violations of EEO policies, Threat Management Policy, or any other Department Policy or Regulation will not be tolerated and must be reported immediately to a supervisor.

VI. Attire

Attire for all members will be professional, business like and in accordance with Department Policy D.P. 5.10.

The office will observe casual day on Fridays; however, the attire must be business like and appropriate to a professional work environment.

Members should not give presentations to the public, attend business meetings or attend special functions or events representing the unit in casual attire unless approved by their supervisor.

When responding to call outs, detectives will wear normal workday business attire.

VII. Suspect Interviews

Suspect interviews **will never** be conducted in the Domestic Violence office. Arrangements should be made to interview suspects at other police facilities in accordance with Department Policies.

VIII. Confidentiality

All members assigned to this office will adhere to the confidentiality of information concerning victims. Members will not share confidential information with anyone who does not have a right and need to know. Members will not discuss sensitive information with anyone in hallways or locations in the building not considered appropriate.

IX. Callback Roster

Support staff will maintain an **up-to-date** master callback roster for the unit. A copy via e-mail will be provided to each supervisor as soon as possible, as changes occur.

It is the responsibility of each member to notify the support staff and their supervisor as soon as possible of any changes to residence, home telephone number, or pager number. All members are subject to **emergency** callback.

X. Vacation / Adjusted Days off / Sick days

All vacation days, adjusted days off, training days, 11-86 assignments or any other absences from work must be approved in advance by a supervisor. Requests must be entered in the Red Book as soon as possible.

Sick time must be reported at least one hour before the member's work day starts. **Each member must call the office to speak to his or her supervisor.**

If their supervisor is not immediately available, the person should leave their supervisor a voice message and then speak to a supervisor who is available.

The employee will indicate the nature of illness and a phone number of where they can be reached during the day.

XI. Unit Briefings

One formal office briefing is held every two weeks. This meeting is mandatory for all personnel assigned to the Domestic Violence Unit and is generally conducted every other Thursday (the week of payday) in the DV conference room. The Unit Lieutenant usually chairs the meeting.

SECTION III

UNIFORMS & EQUIPMENT

UNIFORMS & EQUIPMENT

I. Uniforms

All sworn members are required to maintain a complete, regulation uniform in accordance with 5.10 of the Policy and Procedures Manual. The uniform must be ready and available in the event of an emergency or inspection.

In addition to the appropriate business attire for detectives, detectives are authorized to wear their regulation uniform while on duty. A Department approved holster, and a Department-approved firearm and/or duty belt must be worn with the uniform when in the field.

II. Equipment

Equipment requirements are also delineated in the Policy and Procedures Manual, section 5.10 for Detectives while on duty.

At all times, members will carry on their person their badge, handcuffs, identification card, and a Department approved handgun with authorized ammunition.

III. Firearms

While on duty, and in the field, detectives will carry or have in their immediate possession, their Department approved firearm and ammunition.

Firearms will never be left in plain view on any desk, table or other piece of furniture. Firearms carried in brief cases or purses will be secured appropriately or locked in a desk.

Firearms will never be cleaned, loaded or unloaded in the office.

IV. Cell Phones

Support Staff will maintain an up-to-date list of cellular phones for all members. All sworn members are required to carry their assigned cellular phones while on-call.

V. Portable Radios

Members will take their portable radios in the field. The Domestic Violence Unit will use designators 1230 through 1267. Detectives will use 1231D through 1267D. Sergeants will use 1230S, 1240S, 1250S and 1260S. The Unit Lieutenants will use 1200L.

Radios will not be loaned to anyone outside the unit without permission from a supervisor. Radios that are lost or stolen will be reported **immediately** to a Unit Sergeant. A Unit Sergeant will report the loss to Police Communications and Operations Support immediately. The member who lost the radio will fill out proper forms or crime reports. (See Department Policy 2.1)

Radios that are damaged will be reported as soon as practicable. An Officer's Report will be prepared and the proper notifications will be made to have the radio repaired as soon as possible. (See Department Policy 2.1.)

VI. Vehicles

A Unit Sergeant will assign vehicles to detectives. A list will be maintained by the support staff and will be posted in the office. The vehicles will be operated and maintained in accordance with Department procedures D.P. 1.12.

With the exception of the Unit Lieutenant, members are not authorized to have take-home Department vehicles, unless on call. Members on call taking vehicles home must comply and adhere to Department Policy D.P. 1.16. Members assigned to the Emergency Negotiations Team (ENT) are authorized to use a Department take-home vehicle when on call. ENT members must advise their supervisor of the expected duration of their callback status and the vehicle they will be using.

No vehicle will be loaned out to anyone without a supervisor's approval. Members are specifically prohibited from operating any city vehicle at any time when their driver's license is expired or suspended. Members will ensure their vehicle and any vehicle they use is clean and adequately fueled when returned. All vehicles will be locked when parked on public streets. Any damage to a city vehicle must be reported **immediately** to a Unit Sergeant.

All Department vehicles will be parked inside the parking structure at the Family Justice Center while not in use. Members who leave a Department vehicle parked on the street and receive a citation will be responsible for payment or court appearance on the citation.

SECTION IV

GENERAL OFFICE DUTIES

LIEUTENANT DUTIES

The Unit Lieutenant has overall supervision for all sergeants, detectives, one Associate Management Analyst and one WPO assigned to the Domestic Violence Unit.

OVERALL RESPONSIBILITIES

Provide direct supervision to the sergeants assigned to the daily operations of the Domestic Violence Unit.

FUNCTIONAL DUTIES

Ensure unit goals and objectives are being pursued by occasionally reviewing detective follow-ups/ case cancellations; supervises, evaluates and ensures all members comply with all Department Policies and Procedures; ensures all members are moving forward with the goals and the objectives of strategic planning and community policing; review and approve all unit policies and policy changes; approve Department correspondence from the unit; assign citizen complaints and route slips for investigation; plans, prepares and submits budget requests and controls expenditures; inspects operations and maintains control data for the unit; maintain liaison with local, County and State investigative agencies; maintains inventory control of the unit; periodically interview prospective civilian and sworn personnel; actively participates and supervises major criminal and interdepartmental investigations within the Section; represents the Department before the media; participates with the San Diego County Domestic Violence Council; participates as a member of the San Diego County Domestic Violence Fatality Review Team; liaison with Family Justice Center Department; coordinates with community based organizations to ensure partnerships are being maintained; work with community leaders on DV issues, be a resource to all service areas and other Department members; approves all requests for training classes; review overtime expenditures affecting the Domestic Violence Unit.

UNIT SERGEANT DUTIES

The Domestic Violence Unit has three Detective Sergeants who report to the Unit Lieutenant. They handle the daily investigative operations.

OVERALL RESPONSIBILITIES

Supervise daily work and monitor the performance of investigators and support staff.

FUNCTIONAL DUTIES FOR DV SERGEANTS

Supervises daily work of investigators assigned to the Unit; assigns follow-up investigations to individual investigators; ensures cases are completed in a timely manner; provides field supervision of investigators; provides direction and guidance on investigations; reviews activities of investigators; reviews, edits and approves investigative reports; monitors the unit's caseload for detectives; serves subpoenas; maintains liaison with other law enforcement agencies; maintains liaison with the District Attorney and City Attorney; participates when possible with Domestic Violence committees on DV issues; update when necessary the Domestic Violence curriculum taught at ROT, identifies equipment needs of the Unit; determines training needs for Unit personnel; conduct inspections defined by the Unit Lieutenant, apprise the lieutenant of any unusual cases; conduct evaluations on Detectives & Support Staff; ensure unit employees are in compliance with all Department & EEO Policies, investigate citizen complaints; conducts or assists Detectives in criminal investigations on cases where the suspect is a sworn member of this Department.

DETECTIVE DUTIES

OVERALL RESPONSIBILITIES

Responsible for the investigation of domestic violence crime cases, including DV related incident reports, and the submission of those cases to the appropriate prosecuting agency.

FUNCTIONAL DUTIES

Investigate, solve and cancel DV cases; type and complete investigative follow up reports; prepare DA/CA packages, comply with the Investigative Procedures Manual; conduct interviews with victims, witnesses and suspects, collect evidence, testify in court, maintain an on-going working relationship with the D.A. and City Attorney on cases, maintain a case log; conduct criminal history checks, provide technical expertise to patrol and other investigative personnel; handle on-call responsibilities; work with fellow detectives; assist in conducting training to area commands; keep their supervisor informed on day-to-day activities and cases, comply with all Department rules, regulations, policies and procedures.

DUTY DETECTIVE DUTIES

Each Detective will be assigned as the Duty Detective on a rotating basis. Duty assignments will be made and promulgated in advance by a Unit Sergeant. The duty schedule will be posted. The Duty Detective will adjust hours to cover the office between 0800 and 1700 hours.

DUTY RESPONSIBILITIES

It is the responsibility of each detective to mark his or her calendars in advance of their duty days. Detectives assigned to training classes, POST schools, seminars, annual leave, time off or scheduled for vacation during their duty day or days, will trade duty with another detective who will be available. The duty roster must be updated to reflect change. Scheduling personal appointments on duty days should be avoided.

The duty detective must be available at all times. For this reason, the duty detective will not leave the office unless approved by a unit supervisor. When leaving the office, duty detectives will inform the support staff and their expected time of return.

When no support staff is available, the duty detective must assist with phones and walk-in traffic.

There will be two duty detectives each workday. One will handle the morning duty from 0800 to 1230 hours and one will handle the afternoon duty from 1230 to 1700 hours.

Duty detectives will generally:

Assist outside law enforcement agencies with information on DV cases; handle phone inquiries from Department employees, community agencies, Family Justice Center personnel, victims, and the public; be available to conduct immediate criminal investigations; provide break and lunch relief for the support staff; assist the support staff with answering the phones; and during a police emergency in the office, if a Unit supervisor is not immediately available, the duty detective will take charge of the incident and will remain in charge until relieved by a Unit supervisor.

SWORN PERSONNEL WITH MODIFIED DUTIES

Modified duty sworn personnel will be scheduled to work earlier hours in order to print out all incoming cases from the NetRMS system. Cases will be divided and separated between in-custody and cold cases.

Modified duty sworn personnel will conduct preliminary computer background checks on the victims and suspects. If suspects were arrested, modified duty sworn personnel will run them in E-Jims Inmate Inquiry to determine if the suspect is still in custody and/or when due to the CA or DA.

CASE ASSIGNMENTS

- Modified duty sworn personnel can be assigned misdemeanor cases where it does not conflict with their modified restrictions.

They will also coordinate with unit volunteers to contact victims of certain misdemeanor cases, including some 13730 P.C. cases.

In addition, modified duty sworn personnel are responsible for making the City Attorney mail run at 0700 hours and the South Bay District Attorney mail run at 0830 hours. If the modified duty personnel are not available the unit Sergeant will be responsible for ensuring both mail runs are completed.

OVERALL RESPONSIBILITIES

Volunteers will be assigned to conduct phone contacts with victims involved in certain misdemeanor crime cases involving minor violations where the victim declines prosecution.

In addition, volunteers may be asked to contact victims involving 13730 PC cases submitted by patrol officers.

13730 PC, states in part, each law enforcement agency shall develop a system for recording all domestic violence-related calls for assistance made to the department including whether weapons are involved. All domestic violence-related calls for assistance shall be supported with a written incident report, as described in subdivision (c), identifying the domestic violence incident. (c) Each law enforcement agency shall develop an incident report form that includes a domestic violence identification code. In all incidents of domestic violence, a report shall be written and shall be identified on the face of the report as a domestic violence incident. The report shall include at least all of the following: (1) A notation of whether the officer or officers who responded to the domestic violence call observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance. (2) A notation of whether the officer or officers who responded to the domestic violence call determined if any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim. (3) A notation of whether the officer or officers who responded to the domestic violence call found it necessary, for the protection of the peace officer or other persons present, to inquire of the victim, the alleged abuser, or both, whether a firearm or other deadly weapon was present at the location, and, if there is an inquiry, whether that inquiry disclosed the presence of a firearm or other deadly weapon. Any firearm or other deadly weapon discovered by an officer at the scene of a domestic violence incident shall be subject to confiscation pursuant to Section 12028.5.

In each situation, the volunteer will verify the contents of the police report with the victim and ensure that no further information exists to support prosecution. Volunteers will also refer victims to assisting agencies such as Temporary Restraining Order clinics, shelters, and counseling services.

ASSOCIATE MANAGEMENT ANALYST DUTIES

The unit has one Associate Management Analyst who reports directly to the unit lieutenant.

OVERALL RESPONSIBILITIES

Task/Duty	Primary Function	Primary Person	Backup Person
PHONES & FRONT DESK	<ul style="list-style-type: none"> • Phones answered from 0800 to 1700 • Check incoming voice mail messages (daily) 		X
ARREST & CRIME CASE DATA ENTRY	<ul style="list-style-type: none"> • Cases entered daily • Cases entered as soon as received • Log copy printed daily • Log distribution 		X
DA ARREST LOG	<ul style="list-style-type: none"> • Check with Detectives for dispositions daily • Faxed to DA daily before 0900 		X
PAYROLL	<ul style="list-style-type: none"> • All related functions related to payroll • Track overtime and prepare overtime reports 		X
CPS Cases	<ul style="list-style-type: none"> • Routed to Child Abuse daily 	X	
MAINTAINING D.V. DATABASE	<ul style="list-style-type: none"> • Provide daily, weekly and monthly statistical reports 	X	
CRE	<ul style="list-style-type: none"> • Enter required information in database when received 		X
LATE LIST	<ul style="list-style-type: none"> • Track Late Cases and provide monthly report • Maintain and database update case cancellations 	X	
SUPPLIES	<ul style="list-style-type: none"> • Maintain inventory and order supplies • Printing requests 		X
QUARTERLY			

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MANAGEMENT REPORTS (QMR)	<ul style="list-style-type: none"> • Provide statistical information to Lieutenant for QMR 	X	
PROPERTY TAGS	<ul style="list-style-type: none"> • Track and maintain list of incoming Property Tags 	X	
BIOPSY REPORTS	<ul style="list-style-type: none"> • Data entry of biopsy reports in database 	X	
DEPARTMENT MAIL DEPARTMENT ANNOUNCEMENTS ORDERS	<ul style="list-style-type: none"> • Sort and deliver incoming mail daily • Check daily for incoming announcements and Orders • Maintain master binder of announcements & Orders 		X
STAND-BY HOURS	<ul style="list-style-type: none"> • Track and maintain information on stand-by hours 	X	
OFFICE MACHINES	<ul style="list-style-type: none"> • Point of Contact (POC) for all office machines 	X	
ROSTERS	<ul style="list-style-type: none"> • Update all unit personnel rosters including call back lists and seniority 	X	
HUMAN RESOURCES LIAISON	<ul style="list-style-type: none"> • Liaison with Human Resources on all related personnel issues including transfers and awards 	X	
VACATION SCHEDULE	<ul style="list-style-type: none"> • Update and input into the RedBook 	X	
SUBPOENAS	<ul style="list-style-type: none"> • Print & Enter information in database daily • Provide subpoena to me • Update database on served subpoenas • Enter served /not served in County System 		X
INCOMING FAX	<ul style="list-style-type: none"> • Sort and deliver incoming faxes 		X

Additional Duties:

- Serve on the DV Council Executive Committee, the Fatality Review Board, and the High Risk Team (HRT).
- Review requests for U-Vises, Petitions to Seal, and LE verification for relocation claims.
- Analyze Crime trends
- Participate in Community Outreach and Training programs

WPO DUTIES

The unit has one Word Processing Operators, who reports directly to the Associate Management Analyst.

OVERALL RESPONSIBILITIES

Task/Duty	Primary Function	Primary Person	Backup Person
PHONES & FRONT DESK	<ul style="list-style-type: none"> • Phones answered from 0700 to 1700 • Check incoming voice mail messages (daily) 	X	
ARREST & CRIME CASE DATA ENTRY	<ul style="list-style-type: none"> • Cases entered daily • Cases entered as soon as received • Log copy printed daily • Log distribution 		X
DA ARREST LOG	<ul style="list-style-type: none"> • Check with Detectives for dispositions daily • Faxed to DA daily before 0900 		X
PAYROLL	<ul style="list-style-type: none"> • All related functions related to payroll • Track overtime and prepare overtime reports 	X	
MEDICAL MANDATES	<ul style="list-style-type: none"> • Sort incoming forms • Check ARJIS to determine if victim filed crime case • Route forms to appropriate unit • Route DV related cases to me • Enter required information into DV database 	X	
MAINTAINING D.V. DATABASE	<ul style="list-style-type: none"> • Provide daily, weekly and monthly statistical reports 		X
CRE	<ul style="list-style-type: none"> • Enter required information in database when received 	X	
LATE LIST	<ul style="list-style-type: none"> • Track Late Cases and provide monthly report • Maintain and database update case cancellations 		X

OVERALL RESPONSIBILITIES CONTINUED			
SUPPLIES	<ul style="list-style-type: none"> • Maintain inventory and order supplies • Printing requests 	X	
PROPERTY TAGS	<ul style="list-style-type: none"> • Track and maintain list of incoming Property Tags 		X
BIOPSY REPORTS	<ul style="list-style-type: none"> • Data entry of biopsy reports in database 		X
DEPARTMENT MAIL DEPARTMENT ANNOUNCEMENTS ORDERS	<ul style="list-style-type: none"> • Sort and deliver incoming mail daily • Check daily for incoming announcements and Orders • Maintain master binder of announcements & Orders 	X	
STAND-BY HOURS	<ul style="list-style-type: none"> • Track and maintain information on stand-by hours 		X
OFFICE MACHINES	<ul style="list-style-type: none"> • Point of Contact (POC) for all office machines 		X
ROSTERS	<ul style="list-style-type: none"> • Update all unit personnel rosters including call back lists and seniority 		X
HUMAN RESOURCES LIAISON	<ul style="list-style-type: none"> • Liaison with Human Resources on all related personnel issues including transfers and awards 		X
TRANSCRIBING TAPES	<ul style="list-style-type: none"> • Type investigative reports 	X	
SUBPOENAS	<ul style="list-style-type: none"> • Print & Enter information in database daily • Provide subpoena to me • Update database on served subpoenas • Enter served /not served in County System 	X	
INCOMING FAX	<ul style="list-style-type: none"> • Sort and deliver incoming faxes 	X	

TELECOMMUTING

Distractions and constant interruptions sometimes prevent members from getting work done in a timely manner. On occasion, telecommuting is an option with a **supervisor's approval**.

PROCEDURE

The employee will discuss with their supervisor why it is necessary to telecommute. The work will be explained in detail. In order to telecommute, the following should apply:

1. The employee must have completed the City "Telecommute course."
2. The workload must be specific and equal of a full day's work.
3. Telecommuting on Mondays or Fridays will not normally be approved.
4. When an employee has duty, they must have traded duty days with another employee.
5. The employee must have their pager/cellular phone with them at all times.
6. The employee should check their voice mail at least once in the morning and once in the afternoon.
7. The employee must be at home during their normal work hours. If an employee leaves their home, they must notify a supervisor and carry their phone.
8. The employee must be entered in the Red Book as telecommuting. T-8 or T-10.

CASE MANAGEMENT REVIEW

In order to balance the workload, and hold each detective accountable for their cases, a monthly printout will be conducted of all **open** cases.

PROCEDURE

On or about the 1st of each month, the Associate Management Analyst will print out a monthly account of all open cases for each Detective.

The printout will be routed to the detective's sergeant.

The sergeant will review each case with their detectives to verify each case is still open and ask for an update status.

Cases that are considered delayed will be discussed as to the reasons why.

The sergeant will make the notations pertaining to late cases in the Monthly Inspection Report.

SECTION V

INVESTIGATIVE PROCEDURES

CASE ASSIGNMENTS

The intent of the following is designed as a general outline in assigning domestic violence cases. All investigations conducted by the DV Unit will comply with all laws, Department rules, regulations, policies, procedures, including the Investigative Procedures Manual, as well as all applicable City Attorney and District Attorney Policies and guidelines.

PROCEDURE

Every morning, a designated sergeant (or sergeants) will be assigned to review all in-coming cases. Sergeants will arrive early in the morning in order to properly evaluate and assign cases in a timely manner. Cases will be routed via the NetRMS system to detectives as soon as possible. Sergeants will generally prioritize in-coming cases as follows:

1. FELONY IN-CUSTODIES
2. FELONY CASES
3. MISDEMEANOR IN-CUSTODIES
4. MISDEMEANOR CASES
5. SPANISH SPEAKING VICTIMS

A list of available detectives working each day will be used to track the number of cases assigned to each detective. The assignment of cases will be equally and fairly distributed among all available detectives working. Cases will not normally be assigned to detectives on days off. **Whenever possible**, the following considerations will be taken into account when assigning cases:

- In-custodies will be assigned first.
- Cases involving serious injuries to victims should be assigned immediately.
- Stalking cases and/or cases involving weapons should be assigned immediately.
- Cases should be assigned to a detective based on prior history with the victim.
- Spanish speaking victims/suspects will be assigned to Spanish speaking detectives.
- Cases not requiring field investigation will be assigned to light duty detectives.
- Misdemeanor cases where the victim is unwilling to prosecute may be assigned to

modified duty sworn personnel. (NRC cases)

Specific Notations while assigning cases

Sergeants assigning cases will note on the front page of the hard copy of each case the following:

- If children were involved or present at the time of incident, “CPS” will be noted and a copy of the case will be forwarded to CPS.
- If there was strangulation involved during the incident, “S” will be noted at the top of hard copy.
- If the victim or suspect is currently in the U.S. military, a copy will be forwarded to the military liaison assigned to the Family Justice Center when a verbal waiver is received by the victim. (The liaison has a desk located on the second floor of the FJC)

All hard copies of strangulation cases will be provided to the support staff **as soon as possible** in order to update the DV database.

13730 cases assigned out to detectives- procedure

On occasion, the Domestic Violence Unit receives incorrect or incomplete 13730 cases. When this occurs a detective will be assigned for further investigation. If it is determined a crime has occurred, the detective will amend the report in NetRMS to reflect the appropriate charge then investigate the case as they would any other criminal. If it is determined the original report was correct 13730, the detective will document all the steps he/she took on an investigator’s follow up form and attach it to the case in NetRMS. The detective will then contact their respective supervisor who will NRC the case.

CASE CANCELLATIONS

DV Database Cancellations-

The DV Database was designed to capture specific data from crime reports and arrests and to document case dispositions. The database operates on an MS Access platform, independent from NetRMS. It is especially helpful in completing overall unit statistics and providing searchable data for the Quarterly Management Report.

DV Database codes are separate from NetRMS. Detectives will provide their weekly cancellations to the clerical staff, using the following disposition codes.

CA-	Patrol or Detective field arrest including bailers.
DA-	Patrol or Detective field arrest including bailers.
SBDA-	Patrol or Detective field arrest including bailers in South Bay.
SBDAWA-	Investigative follow-up requesting Warrant of Arrest through South Bay (Out of custody cases).
DAWA-	Investigative follow-up requesting Warrant of Arrest (Out of custody cases).
CANW-	Investigative follow-up requesting Notify Warrant (Out of custody cases).
EXC-	Exceptionalize by cancelling a case due to rejection by prosecuting agency Note- at this time, you will not cancel a case due to an uncooperative victim or the inability to contact the victim. Exceptionalization should only be used when the case does not meet the prosecuting agency guidelines or you are notified by the prosecuting agency to cancel the case.
F/UP-	Inactivating a case, i.e. need further information, awaiting additional information, unable to contact victim, uncooperative victim, can't identify suspect, etc.
UNF-	No crime or elements of crime not present, i.e. 273.6 violation but suspect never served.
NRC-	13730 cases only.
None-	Do not use.

NetRMS Cancellations

There are (5) five ways to cancel a case; arrest, exceptional – victim refuses to prosecute (which we do not use, even though it is in the Investigative Manual), exceptional – rejected by prosecuting agency (which will be covered in this section), exceptional – other, and unfounded.

On May 18, 2009, the DV Unit began cancelling cases under the category of “exceptional – rejected by prosecuting agency.” This was accomplished by adhering to the prosecuting agencies guidelines to determine what cases they want sent forward. There are two ways to cancel cases **exceptional**, (1) the prosecuting agency authorized the detective to cancel it, or (2) the investigation does not contain the required information needed to prosecute the case per the prosecuting attorney guidelines. The only cases that can cancel as exceptional are 273.5, 242/243(e)(1), 422, 166, 273.6, and solo 594’s, 591’s, 653m’s, or 136.1’s, when the guidelines cannot be met, which does not include the inability to reach the victim or the victim is unwilling to prosecute. All other types of cases not listed here, including sexual assault and strangulation, will be sent to the proper prosecuting agency, unless otherwise directed by a prosecuting agency. It is required detectives attempt to make contact with the victim in every case that is exceptionalized, either by phone, text message, email, or in person. Detectives will verify the information and confirm the report is accurate. After obtaining the desired information from the victim, the detective will notify the victim that the case will be cancelled per the prosecuting agency’s guidelines. The detective does not need to send out a letter informing every victim their case has been cancelled, **unless** the detective is unable to contact them via by phone, text message, email, or in person.

If the detective is unable to contact the victim in the above listed types of cases, over the phone, text message, email, or in person, the detective will send out a letter to the last known address where they are living or drop the letter off at the listed address. The letter will ask the victim to call the detective immediately to verify the contents of the report and see if they have any further information to provide. It will also contain information on the Family Justice Center and the services they provide. The letter will clearly state if the victim does not contact the detective in a week, their case will be cancelled. The detective will wait (10) ten days to cancel the case, allowing time for the letter to be delivered.

*Note- This document should coincide with the most current flow chart on guidelines. It can also be found in the G: Drive, under Domestic Violence.

COMPLAINT REQUEST EVALUATION (CRE) PROCEDURES

When a case is rejected by the City attorney or District Attorney there are 3 categories of CRE'S. The following explains the procedures for handling each type of CRE.

CRE's

A. "Rejected – See Remarks"

1. Cancel these "Exceptional: Rejected by Prosecuting Agency."
2. The CRE number is not needed in the cancellation, put the CMS number.

Example narrative- This case is being cancelled per CRE (CMS #664352)

B. "Rejected – Further Investigation Needed" (Case never should have been submitted.)

1. The CRE will state the case doesn't meet the guidelines for prosecution, cancel the case by placing "Rejected by Prosecuting Agency" on the "Type of Cancellation" line. In "Narrative" section you will put "Case cancelled per City Attorney's/District Attorney's CRE (CMS #xxxxxx)."
2. The CRE states that no crime had occurred, cancel the case by placing "Unfounded" on the "Type of Cancellation" line. In "Narrative" section you will put "Case unfounded by City Attorney's/District Attorney's CRE (CMS #xxxxxx)".

C. "Rejected – Further Investigation Needed" (Case needs additional information.)

1. Evaluate what the prosecuting agency is looking for.
2. Make attempts to locate the items. If located, document on the newly created "Additional Follow-up Report" form attached to the email and forward it to the City Attorney or District Attorney with the CRE. This form must also be added to the case in NetRMS.

3. If unable to retrieve these items or the victim or witness has not contacted you back within 24 hours, send a letter to that person or deliver the letter personally to the address, requesting the needed information. Allow (10) ten days for them to respond back to the letter.
4. If the victim or witness doesn't respond back, do the following;
 - a. If the items are not located and the case is already cancelled per "Arrest," document the attempts on the "Additional Follow-up Report" form and add it to NetRMS.
 - b. If the items are not located and, per the CRE, instructed to cancel the case, document the attempts on the "Cancellation" form. The "Additional Follow-up Report" form is not needed.
 - c. If the items are not located and, per the CRE, it does not instruct to cancel the case, inactivate the case (Awaiting further information), and document the follow-up on the inactivation form. Do not complete the "Additional Follow-up Report" form.

INCIDENT REPORTS

In addition to notifying the Unit Lieutenant by phone or in person of all **major** incidents, detectives will complete an incident report.

The incident report will be completed by the lead detective and forwarded to the Unit Sergeant, Lieutenant and Captain by **0730 hours on the following morning**. An e-mail copy should be forwarded to all unit sergeants, detectives and support staff.

AN INCIDENT REPORT WILL BE COMPLETED ON ALL CASES WHERE THE FOLLOWING HAS OCCURRED:

- Call outs from home or office
- DV Incidents involving major injuries to either party involved.
- DV Incidents where firearms were discharged.
- All DV cases involving law enforcement personnel as a suspect and/or victim.
- DV cases involving high profile individuals.
- Any case that may attract media attention to the Police Department.

ON CALL PROCEDURES

The Domestic Violence Unit will have two detectives (first up/second up), and one Sergeant, on call each day for one week at a time. The Sergeants will rotate on a bi-weekly basis. During the hours when the Domestic Violence Unit is closed, the duty detective will be available to respond to any domestic violence incident at the direction of a Domestic Violence supervisor. A supervisor will be designated to develop and approve any changes to the schedule.

When the “first up” detective is called out, the “second up” detective will assume the “first up” role. On some occasions, at the discretion of the on call supervisor, both detectives may be assigned to respond to the same incident.

CALL OUT PROCEDURES

Every member of the Domestic Violence Unit will be provided with a copy of the call out schedule. The on-call duty will rotate among all full duty detectives. A Sergeant must approve all swaps. The support staff will maintain a master copy. **Assignment periods begin and end at 0700 hours each Tuesday.**

The Watch Commander will be sent a call out schedule and must be notified immediately of any changes to the schedule.

The on call supervisor will be contacted by patrol and in turn will notify the first up detective when the situation warrants a call out. Depending on the circumstances, a second detective and sergeant may also respond. During their assigned periods of on call status, detectives will:

- Use a Department assigned vehicle for commuting to and from work
- Remain in San Diego County and in areas where the cellular phone will receive calls to immediately be available by telephone during off-duty hours
- Abstain from alcoholic beverages or anything which might impair his/her judgment or ability to function as an investigator in an on-call status
- Be able to respond to any location in the City of San Diego within an hour
- Carry investigative equipment and items, such as a camera, tape recorder, telephonic search warrant forms, flashlight, and any other items or equipment needed to conduct a field investigation
- Respond in normal work business attire for detectives in accordance with Department Policy D.P. 5.10.

OFFICER INVOLVED DOMESTIC VIOLENCE PROCEDURES

The Unit Lieutenant must be notified immediately when criminal investigations of domestic violence involve peace officers from any law enforcement agency. For the purpose of this investigative policy, peace officers include those described in Chapter 4.5 of the California Penal Code and their equivalent from Federal or out-of-state employers.

A copy of the Case Report will be given to the Unit Lieutenant immediately.

Outside Law Enforcement agency employee

Whenever a member of an outside law enforcement agency is involved in a domestic violence case as a suspect or victim, a detective will generally be assigned to handle the investigation.

San Diego Police Department Employee(s)

Whenever an employee of the San Diego Police Department is involved in a domestic violence case as a victim, or a civilian employee listed as a suspect, a detective will generally be assigned to handle the investigation.

Whenever a sworn employee of the San Diego Police Department is involved in a domestic violence case as a suspect, the Professional Standards Unit (PSU) will be called out by the Watch Commanders office.

Cases involving sworn and civilian personnel of the San Diego Police Department will be investigated **INDEPENDENTLY** from any internal investigation. Unless otherwise directed, a criminal case will take precedence over internal investigations. All interviews and collection of evidence will be independently and separately done from internal investigations.

The lead detective or sergeant will discuss the case directly with the DA or CA on all cases.

Once the investigation has been completed, the Domestic Violence sergeant will provide the Unit Lieutenant with a copy of the entire investigation. The Unit Lieutenant will normally inform the agency that employs the peace officer that the investigation has been completed in accordance with the County Domestic Violence Law Enforcement Protocol.

PROPERTY TAGS

The purpose of this procedure is to ensure the consistent handling and release of impounded property within the unit. It is incumbent upon the assigned investigator to release property to its rightful owner as soon as is practical. Refer to Department Procedure 3.2: Impound, Release and Disposal of Property and Evidence.

MILITARY CASES

DV Sergeants duties

- 1) The DV Sergeants will identify any cases where the victim or the suspect is in the military and record the victim's name, case number, and assigned detective on the weekly "Military Cases" log.
- 2) At the end of each week the Military Case log will be left in the Military Liaison box.

DV Detectives duties

- 1) The detective will advise the victim of the availability of a confidential military advocate and ask the victim if they would like the advocate to contact them. If the victim states he/she wants contact, the detective will ask the victim permission to release a copy of the Case Report to the military advocate.
- 2) The detective will give a copy of the report to the DV WPO advising her that it is for the Military Liaison.

DV WPO duties

- 1) The DV WPO will go through the report and redact all reference to minor children within the top sheet and body of the report by blacking out the children's names.
- 2) The DV WPO will then place the redacted copy in the military box for pickup by the Military Liaison.