

PALM BEACH GARDENS POLICE DEPARTMENT		
CRIMINAL INVESTIGATIONS		
POLICY AND PROCEDURE 4.2.2.6		
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PURPOSE: To establish guidelines and criteria for conducting criminal investigations. For the purpose of this policy and procedure detectives/investigators/agents are referred to as investigators.

SCOPE: This policy and procedure applies to all officers having to perform a criminal investigation.

REVIEW RESPONSIBILITY: Investigations Bureau Major

POLICY: The guidelines set forth in this procedure shall be used to identify acceptable practices and methods during criminal investigations. Investigators will not be limited to these guidelines. Investigators will utilize all available means of gathering information. The investigative process may include interviews and interrogations; identifying, collecting, and preserving physical evidence, and surveillance.

1. INFORMATION DEVELOPMENT

- a. While conducting criminal investigations, investigators will develop pertinent information through available resources which may include witnesses, victims, informants, physical evidence, and suspects associated with related investigations or known mode of operation.
 - i. Suspects may be developed and/or identified through the use of Department records and other agency files
- b. The investigator will read all police reports pertaining to the assigned case and review the preliminary investigation.
 - i. The review may include conferences with initial responding officers to crime scenes.
 - ii. The investigator(s) may check other reports or events occurring around the same time of the initial report for similarities and any previous reports made by the victim.
 - iii. Review field interrogation reports, cases having similar MO's, pawn shop files, nickname/street name files, etc.
- c. During the early stages of the investigation, the investigator(s) will, based on individual case circumstances, thoroughly interview all victims, witnesses, neighbors, reporting parties, and possible suspects.

- i. It may become necessary to re-interview certain persons during the course of the investigation to clarify information or seek additional details.
- d. When appropriate conduct neighborhood canvasses, search for witnesses, evidence, victims or potential suspects that may have been missed during earlier phases of the investigation.
 - i. Investigators may utilize informants who may have information to aid in the investigation.
 - ii. Contacts with outside support facilities may prove helpful. These facilities could include utility firms, the driver's license bureau, the Department of Corrections, probation and parole, etc.
- e. Information received from the Crime Analysis Unit may prove useful and should be shared once verified.
 - i. The investigator(s) shall disseminate information relative to crimes and suspects (if any) throughout the Department and other concerned agencies as well as various means available through crime analysis software to include Criminal Intelligence Bulletins and Crime Pattern Bulletins.

2. EVIDENCE

- a. If at the crime scene during the preliminary stages of an investigation, the investigator will aid patrol officers and/or crime scene investigators in the identification and preservation of physical evidence. Items of evidence will not be unnecessarily handled, tampered with, or moved.
- b. Physical evidence which supports the investigation of criminal cases will be developed, collected, and preserved in accordance with Department policy. Such measures are intended to maintain the integrity of evidence items for possible use during court proceedings.
- c. The following guidelines are representative of evidence collection standards to be met by officers or investigators:
 - i. Latent print cards will bear the officer's name, case number, date and information (i.e., diagrams which illustrate the positioning of a print).
 - ii. Elimination prints will be obtained whenever possible, or as investigations require.
 - iii. Body fluids such as blood, saliva, and semen should be air dried before packaging in a paper "breathable" container.
 - 1. These items must never be stored in plastic bags or other airtight containers.
 - iv. Organic matter including vegetable material should also be packaged in "breathable" containers so that the process of decomposition is neutralized.
 - v. Threads, fiber, hairs, and other material which can be stored in an airtight environment (without threat of evidence deterioration) may be packaged in plastic bags.
 - vi. Firearms, electronics and items of value will be marked and identified appropriately.
 - 1. Such items should be marked or tagged such that the monetary or aesthetic value is not reduced.
 - vii. Combustible or toxic substances will be clearly marked as such and stored in a stable environment as soon as possible.
 - viii. If necessary, vehicles and structures, i.e., buildings will be sealed, taped, and initialed in a manner designed to secure and maintain the integrity of the evidence therein.
 - ix. DNA evidence will be packaged in approved DNA evidence containers or paper bags, clearly marked, bio-hazard labels affixed, taped, sealed and initialed.

- x. Digital evidence should be secured in accordance with current Department policy and technology to ensure preservation for successful examination and eventual prosecution.
- d. Given the changing technologies and scientific developments in the field of criminology, the aforementioned standards may be subject to change. The Investigations Sergeant may serve as final authority on changes in evidence collection procedures and should be contacted when questions arise.

3. SURVEILLANCE

- a. Surveillance of people involved in a criminal investigation will be conducted in such a manner that bystanders will not be endangered as a result of surveillance operations. Applicable guidelines for conducting surveillance operations shall be in accordance with Department policy.
- b. Under circumstances where the criminal element is likely to take offensive action against bystanders if surveillance officers are compromised, such operation will be terminated.

4. BACKGROUND INVESTIGATIONS

- a. The purpose of background investigations is to establish personal information as it relates to suspects or persons arrested. Relevant information includes, but is not limited to:
 - i. Criminal history.
 - ii. Arrest warrants.
 - iii. Weapons permit.
 - iv. Associated vehicles.
 - v. Vehicle registration status.
 - vi. FIR contacts.
- b. Background checks may be completed by accessing the following databases:
 - i. PALMS
 - ii. FCIC
 - iii. NCIC
 - iv. Department of Motor Vehicle.
 - v. Intelligence gathering file.
 - vi. Other law enforcement or public information databases accessed for investigation information.
- c. Information obtained while conducting a background investigation may be used to further identify and locate suspects and assess potential hazards.
- d. Background investigations shall be considered sensitive in nature and should be conducted discreetly. All background investigations will be conducted in such a manner as to assure that the constitutional rights of the subject of the investigation will be maintained.
- e. When a case is inactivated or closed with no prosecution contemplated, the case investigator will determine if the information obtained from the background investigation is relevant to the case. If so, the data will be included in the case file.
- f. In cases where the background data is not relevant to the case, the background information will not be maintained.

5. INTERVIEWS AND INTERROGATIONS

- a. When a suspect is established, investigators will represent themselves in a courteous and professional manner and adhere to the applicable laws and practices which govern the interviewing and interrogation of persons as follows:
 - i. The Constitution of the United States
 - ii. The Bill of Rights
 - iii. Supreme Court Decisions (i.e. Miranda v Arizona, etc.)
 - iv. Florida State Statutes
 - v. The Palm Beach Gardens Police Department's Policies and Procedures
- b. Investigators, during the activities associated with investigations, shall be prohibited from the following:
 - i. Obtaining involuntary confessions or admissions through coercion or other illegal means;
 - ii. Deliberately failing to advise a defendant of their rights; or
 - iii. Depriving the defendant of their right to counsel.
- c. Under no circumstances will interrogations be conducted in a coercive manner.
- d. Officers or investigators will not disclose information pertaining to criminal investigations to outside sources unless directed by a supervisor or otherwise coordinated through the public information officer.
- e. If a suspect is established, every attempt should be made to secure a confession via a thorough interrogation. Attempt to ascertain the identity of co-defendant(s), fencing operation and the location of stolen property, reasons why the crime was committed and any instrumentality used during the commission of the crime.
- f. When an arrested person is interviewed by an investigator, the arrestee should be questioned for possible involvement in other criminal activity.
 - i. When determined necessary, the arrestee's fingerprints will be compared by a latent examiner for possible identification at other crime scenes.
- g. The use of Computer Voice Stress Analysis (CVSA) may be beneficial under certain circumstances. The CVSA will be used by a certified examiner.
 - i. The use of the CVSA will be governed in accordance with laws prescribed for its use.

6. POST ARREST PROCEDURES

- a. Once the suspect is arrested, the investigator(s) or arresting officer(s) will prepare the necessary paperwork to make the case with the State Attorney's Office (SAO). After filing, and when an Assistant State Attorney has been assigned the prosecution, the investigator(s) or arresting officer(s) shall offer any assistance which may aid in a successful prosecution.
- b. Prior to submitting the case to the SAO for filing, the investigator shall check to see if the arrested person(s) fits the career criminal criteria.
- c. If there are co-defendants, the investigator(s) shall proceed with the steps outlined in this procedure to apprehend the suspect(s).
- d. If the suspect indicated involvement in other crimes in other jurisdictions, the investigator(s) will ensure that the proper law enforcement agency is notified.
- e. Based on individual circumstances, investigator(s) may determine that the suspect can be used in the future as a confidential informant.

- i. Applicable guidelines concerning the use of confidential informants shall be in accordance with Florida Statute and Department policy.
- f. When necessary, a search warrant may be needed, or in approved circumstances, a consent to search form to legally recover items of evidentiary value or stolen property.
- g. Every effort will be made to return stolen property to the rightful owner.

7. VICTIM NOTIFICATION

- a. The investigator assigned to a case shall contact the victim in a timely manner and not to exceed three (3) working days.
- b. Notification will also be made when any of the following occur:
 - i. An arrest has been made.
 - ii. Property has been recovered.
 - iii. Final disposition of case.
- c. This notification may be done in person, by telephone, email, or mail. In any event, a notation will be made with a supplement report to indicate that the notification had been made or attempted.
 - i. The entry on the supplement report will include the date and the time the attempt was made and if successful the person's name who was notified.
- d. Whenever possible the victim may be contacted regarding the status of their report through the use of volunteers.
- e. The investigator(s) supplemental report will indicate the disposition and status of any property or evidence in the custody of the department.
- f. The Evidence Custodian will be notified once a case is disposed of so proper evidence disposal procedures can be taken.
 - i. The notification shall be made by providing a copy of the SAO disposition letter and/or in person by the investigator.

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RESPONSIBILITY INDEX

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APPROVED:



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Chief of Police

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Date