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			Distribution: All
Title: Criminal Investigations - Management		Section: Investigations	
Issued: 01/25/2011	Effective: 02/02/2011	Revised: 01/22/2016	
Rescinds: All Previous		Amends:	
CALEA References: 16.2.3, 42.1.1 – 42.1.5; 83.1.1			
Review: Annual	Authority: Chief Michael A. Keller 		

## I. Purpose

The purpose of this General Order is to establish procedures for the administration of the department's criminal investigation process.

## II. Policy

It shall be the policy of the Andover Police Department to properly investigate crimes committed in the City of Andover through the proper staffing of personnel and the efficient use of available resources. The assignment of criminal cases for follow-up investigation to specific patrol officers and detectives shall be the responsibility of the Watch Commanders of the Patrol Section. Follow-up assignments will take into consideration such factors as the degree of solvability and the impact individual cases may have on the community.

## III. Definitions

**Criminal Cases:** Police investigations involving a violation of the Kansas Criminal Code.

**High Priority Cases:** Investigations of criminal cases with significant solvability factors or a serious offense.

**Low Priority Cases:** Investigations of criminal cases lacking in solvability factors and are not of a serious nature.

## IV. Regulations

A. Detectives that are on-call will:

1. Maintain a communication link with the department via telephone or radio 24 hours per day [A] (42.1.1).
2. Respond to any request for assistance by a Patrol or Investigations Section supervisor within one hour in a safe manner [A].
3. Ensure any off-duty activity does not interfere with or impair their ability to respond to a request for assistance by a supervisor [A].

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## V. Procedures

### A. Staffing

1. Preliminary criminal investigations are normally conducted by patrol officers unless otherwise assigned directly to a detective by a command level officer (42.1.1).
2. The Investigations Commander is responsible for providing investigative personnel to assist with the preliminary investigations or conduct follow-up activities on a 24-hour basis. An on-call detective schedule will be maintained and be made available to all agency personnel (42.1.1).
3. The Chief of Police may assign additional personnel to the Criminal Investigation Section on a temporary basis to (16.2.3a):
  - a. Strengthen the investigative process;
  - b. Supplement staff shortages;
  - c. Enhance individual career development;
  - d. Improve crime investigation reporting;
  - e. Provide for a more complete preliminary investigation; and
  - f. Create a pool of patrol officers with advanced investigative experience.
4. The duration of a temporary assignment to the Criminal Investigation Section shall be until the need no longer exists or at the discretion of the Chief of Police (16.2.3b).
5. Whenever practical, openings for specialized assignments shall be advertised through a written announcement distributed to all members of the department. Minimum requirements for the position and the selection process for filling the position will be detailed in the announcement and should include, but is not limited to, the following (16.2.3c,d):
  - a. Special skills, knowledge, or abilities required for the assignment.
  - b. Training requirements, if any.
  - c. Length of experience or service with the department.
  - d. Interest and attitude toward the assignment or position.
  - e. Level of performance as determined by a review of performance evaluations, attendance records, and comments from current supervisors.
  - f. Method of response (letter of interest, email, etc.) and a deadline for the response.
  - g. The steps the department will use to select the member for the advertised assignment.

### B. Requests for On-Call Detectives

1. All requests for an on-call Detective shall be evaluated by an on-duty patrol supervisor. The following are considerations to aid in that evaluation:

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- a. Immediate follow-up appears reasonably necessary and/or continued follow-up by uniformed officers would considerably hamper the Patrol Section's ability to respond to future calls for service.
  - b. The follow-up is of a nature that would make it impractical to utilize a Patrol Officer, i.e. time restriction, geographic location, magnitude of offense, etc.
  - c. The follow-up or processing of the crime/accident scene requires specialized skill or knowledge (83.1.1).
2. The ranking Detective who responds to a request for assistance will assume primary responsibility for the investigation of the crime.
  3. Detectives not scheduled to be on-call are subject to call back should the needs of an investigation require additional personnel. To ensure contact in such a situation, detectives are required to carry with them, or have immediate access to a telephone. The department will provide a stipend to detectives to help them meet this requirement. When requested by proper authority, off-duty detectives are required to respond as directed or notify their supervisors as to their inability to do so.

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**C. Case Screening System and Investigative Priorities (42.1.2)**

1. Watch Commanders are responsible for ensuring criminal cases are assigned for follow-up in accordance with this General Order.
2. Follow-up responsibilities for misdemeanor cases, except those with a solvability factor of 5 or less, are the responsibility of the patrol officer who was initially assigned the case (42.1.4). The officer will be designated as the investigator for these cases in the department's RMS system.
3. Follow-up responsibilities for felony cases with a solvability score of 6 or more and missing person cases are the responsibility of the detective who is assigned investigative responsibilities for the patrol crew on-duty when the case was received by the department (42.1.4). The detective will be designated as the investigator for these cases in the department's RMS system.
4. Follow-up responsibilities for all felony and misdemeanor cases with a solvability score of 5 or less, except missing person cases, will be the responsibility of the Communications Officer assigned follow-up responsibilities for the patrol crew on-duty when the case was received by the department. The Communications Officer will be designated as the investigator for these cases in the department's RMS system.
5. School Resource Officers are members of the Special Services Section and are responsible for the follow-up activities on all misdemeanor cases assigned to them in their SRO capacity regardless of the solvability score. Follow-up responsibilities for cases with a solvability factor of 5 or less assigned to an SRO when operating outside of their SRO capacity (i.e. summer patrol assignment or otherwise outside of the school setting) will be conducted by the

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Communications Officer assigned to the patrol crew that is on duty the day the case is received by the department.

6. The Investigations Commander may accept follow-up responsibilities for any case, and may reassign cases within the Investigations Section as he/she considers necessary.
7. At a minimum, all criminal cases will have follow-ups conducted in compliance with General Order M1108 Victim-Witness Assistance and a supplemental report completed detailing the follow-up activity.
8. The decision to assign cases for further follow-up is based on established investigative priorities and solvability factors according to the seriousness of the crime, how recently it was reported, the amount of readily available information about the suspects, the availability of agency resources, and community attitude. The following solvability factors will be used by supervisors during the review and assignment of cases:
  - a. The suspect is known to the victim/witness (10 points);
  - b. A tentative identification (photo lineup/show-up) has been made of the suspect (5 points);
  - c. A detailed vehicle description and tag number of the suspect vehicle was obtained (10 points);
  - d. A poor suspect vehicle description was obtained (3 points);
  - e. The incident occurred within the last 12 hours (5 points);
  - f. The incident occurred more than 12 hours ago (2 points);
  - g. DNA, fingerprints or other evidence that would likely identify the suspect were found at the scene and a suspect has been tentatively identified (10 points);
  - h. DNA, fingerprints or other evidence that would likely identify the suspect were found at the scene and no suspect information is available (5 points);
  - i. The incident was a person felony (10 points);
  - j. Definitive information from an outside agency has been received (10 points);
  - k. The crime appears to be consistent with other crimes where a possible pattern has developed (3 points).
9. Cases with a solvability score of 10 or more should be considered high priority investigations and remain open until all investigative leads are exhausted or a person(s) is arrested or charged with the offense. High priority investigations should take precedence over low priority cases.
10. Cases with a solvability score of less than 10 but more than 5 should be considered low priority investigations and remain open until all investigative leads are exhausted or a person(s) is arrested or charged with the offense.
11. Cases with a solvability score of 5 or less may be immediately suspended upon victim notification as required in General Order M1108 Victim-Witness Assistance.

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- a. Prior to contacting the victim, the Communications Officer conducting the follow-up should familiarize themselves with the case by reading the officer's report.
  - b. When contacting the victim, the Communications Officer will ask if the victim has any more information that would assist in solving the case such as serial numbers of stolen property, potential suspect identity, etc.
  - c. If the victim provides information that increases the solvability score, then the case will be reassigned to the initial officer in misdemeanor cases or the appropriate detective in felony cases for further follow-up.
  - d. If the victim is unable to provide additional information, they should be notified that investigative efforts are being suspended until further leads are developed.
  - e. The Communications Officer conducting the follow-up will complete a supplemental report detailing the follow-up activity.
12. The Investigations Commander or the Chief of Police may override the aforementioned case assignment priorities for special circumstances such as those involving a serious offense, significant property loss or grave community concern.

#### **D. Case File Management**

1. The department's RMS system provides accountability for individual cases. The system allows supervisors and officers to query the database by case number, selected investigator, solvability scores, date received, offense date, person identifiers and case disposition (42.1.3a).
2. Unique case numbers are issued for each incident at the time of the initial investigation and officers and detectives will generate all reports related to the investigation in the RMS system under the assigned case number (42.1.3c).
3. Other documents and photographs related to an investigation are converted into an electronic format and stored in the RMS system under the appropriate case number. Original documents and photographs will be maintained by the Records Section in a physical case jacket as required by law or as directed by the City Attorney, City Prosecutor or County Attorney (42.1.3c).
4. When a case is entered into RMS, its disposition status will be "Open" until the disposition is changed by a supervisor. Supervisors will leave the disposition unchanged until the investigation falls into one of the following categories (42.1.3b):
  - a. Open – The investigation is active and requires further follow-up.
  - b. Suspended – The case has a solvability score of 5 or less and the victim has been notified that the investigation is being suspended; or all leads have been exhausted and not enough information exists to seek charges against any person.

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- c. Cleared MC – The case has been solved and a person has been arrested, or charges have been requested through the municipal court.
  - d. Cleared DC – The case has been solved and a person has been arrested, or charges have been requested through the district court.
  - e. Cleared JC – The case has been resolved and a juvenile has been referred to juvenile court.
  - f. Closed – The case has been cleared by exceptional means (e.g. death of offender, prosecution declined for other than lack of probable cause, victim refuses to testify resulting in the case not being filed by the prosecutor, or the handling of a juvenile by notifications of parents or legal guardian and without seeking prosecution in any manner).
  - g. Unfounded – The investigation proved that the alleged offense did not occur.
  - h. Information – The case did not involve a criminal offense or an investigation was opened to document assistance provided to an outside agency and all follow-up work has been completed.
5. All police department personnel will have read access to criminal investigation files through secure password access to the RMS system. All personnel will have the ability to generate new documents in the RMS system, but only the original authors and the Records/Evidence Custodian will be able to edit the documents after creation, except Investigation personnel may edit statute and offense information and/or update victim, witness or suspect information (42.1.3d).
6. Case files will remain in the RMS system permanently. Detectives are permitted to maintain an investigative file outside of the Records Section or RMS system, but must shred duplicate documents upon case completion. Original documents must be stored as outlined above (42.1.3e).

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#### **E. Habitual/Serious Offenders**

- 1. Habitual offenders and those who commit the most serious crimes pose a special threat to the community. As such they require additional attention and special procedures to ensure their apprehension and successful prosecution.
- 2. The criteria used to identify individuals as habitual/serious offenders may be found in KSA 21-6706. Generally this statute provides for enhanced punishments in the event a defendant is convicted of second or subsequent felonies (42.1.5a).
- 3. Officers assigned to investigate a felony case where the suspect has been identified will check to see if the suspect meets the criteria for being a habitual/serious offender (42.1.5b).
- 4. Officers will notify the Butler County Attorney's Office when sending habitual/serious offender cases for prosecution, and will document the notification in a supplemental report (42.1.5c).