



**California State University, Los Angeles**  
**Department of Public Safety**

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SUPERSEDES: 4/23/2010 Reviewed/Revised: April 30, 2020

SUBJECT: **Criminal Investigations**

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I. PURPOSE:

This directive provides the following procedural guidelines: an outline of the duties and responsibilities of officers assigned to the Investigations Unit; a system of case screening and assignment; and an overview of procedures related to specialized investigative techniques.

II. POLICY:

It shall be the policy of this department to conduct thorough follow-up investigations on all crimes against person and major property offenses, in an attempt to successfully identify and prosecute violators.

III. DEFINITIONS:

- A. Crime Scene. The location where the crime occurred or where the indication of the crime exists.
- B. Crime Scene Processing. The specific actions taken at a crime or accident scene, consisting of the taking of photographs, preparing the crime or accident sketch, and the collecting and preserving of physical evidence.
- C. Defendant Informant. An informant who is subject to arrest and prosecution for a State or Federal offense, or a defendant in a pending case who expects compensation for his assistance in either the form of judicial or prosecutive consideration of another form.
- D. Follow-up Investigation. An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property. The investigation may include the following activities:
  - 1. identifying and apprehending the offender;
  - 2. collecting, preserving, analyzing, and evaluating evidence;
  - 3. recovering stolen property;
  - 4. interviewing victims and witnesses;
  - 5. questioning suspects;
  - 6. determining in detail the exact circumstances of the offense;
  - 7. determining if other crimes may have been committed by the suspect;
  - 8. reporting information obtained; and
  - 9. preparing case for court presentation.

- E. Informant. Any person who, under the direction of a specific officer and with or without expectation of compensation, furnishes or performs a lawful service for the department in its investigations and operations.
- F. Instrument of Detection of Deception. An apparatus designed for the detection of deception by measuring and recording changes in a person's voice characteristics or respiration and heart activity.
- G. Physical Evidence. Any substance or material found or recovered in connection with a criminal investigation.
- H. Preliminary Investigation. Generally, the activity that begins when officers arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. The investigation usually includes the following tasks:
  - 1. providing aid to the injured;
  - 2. protecting the crime scene to ensure that evidence is not lost or contaminated;
  - 3. determining if an offense has actually been committed and, if so, the exact nature of the offense;
  - 4. determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or immediate pursuit;
  - 5. furnishing other field units, through the communications system, descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles;
  - 6. obtain complete information on all witnesses;
  - 7. determining what information is known by the victim and witnesses;
  - 8. arranging for the collection of evidence;
  - 9. determining in detail the exact circumstances of the offense;
  - 10. obtaining written statements from victims, witnesses, and if legally possible, from the suspect; and
  - 11. accurately and completely recording all pertinent information on the prescribed report forms.
- I. Reasonable Belief. The facts and circumstances the officer knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
- J. Restricted Use Informant. Any person who meets any of the following criteria shall be considered a restrictive use informant, subject to use as authorized below:
  - 1. Person less than 18 years of age – May only be utilized after obtaining the written consent of the juvenile's parent or guardian.
  - 2. Person on probation or parole (Federal or State) – Only with the consent of the agency supervising the person.
- K. Witness. A person who has information or evidence relevant to the investigation of a specified crime.

#### IV. PROCEDURES:

- A. 24-hour coverage by the Investigations Unit.

1. The Investigations Unit shall normally consist of a minimum of two Investigators [three when staffing allows], who may hold the rank of Officer, Corporal, or Sergeant. The number of personnel assigned to Investigations is dependent on the staffing level in the sworn ranks.
2. The Investigation Unit shall report directly to the Police Lieutenant.
3. When fully staffed with three personnel and unless special circumstances dictate:
  - a. one Investigator shall be assigned to work 0800 to 1600, Monday through Friday;
  - b. one Investigator shall be scheduled 1600 to 2400, Tuesday through Saturday; and
  - c. the third investigator, when assigned, will be scheduled 1400 to 2200, Sunday through Thursday.
4. 24-hour coverage and Investigators response.
  - a. The patrol supervisor on duty may request an Investigator's response to a crime scene at his or her discretion.
  - b. The procedure for notifying an Investigator will be:
    1. The patrol supervisor will request that the dispatcher contact the Police Lieutenant and advise him/her of the incident.
    2. The Police Lieutenant will determine if one or more Investigators should respond to the scene. The Lieutenant shall notify the Chief of Police of the situation.
    3. Both Investigators are provided with Department paging/cellular telephone capabilities.
    4. Should any of the Investigators or the Police Lieutenant not be available to take call during a given time period, they will notify the on-duty Dispatcher who will note this circumstance for other Dispatchers. The Operations Lieutenant will also be notified in this instance.
    5. If one of the Investigators cannot be located when needed, the Police Lieutenant will be notified. When directed, one of the members of patrol with past investigative experience will be utilized.
  - c. Incidents where an Investigator should be notified and requested to respond include:
    1. All shootings;
    2. Incidents involving serious injuries or death;
    3. Incidents involving extensive evidence or where an immediate follow-up is needed and the Patrol Officers do not have the resources to conduct the follow-up;
    4. Armed robberies;
    5. Explosions;
    6. Arson with extensive damage or evidence to be collected;
    7. All sexual assaults and child molestation cases; and,

8. All abductions.
  - d. Investigators should be notified about the following types of cases, for consultation and a determination whether response is necessary:
    1. Domestic violence;
    2. Stalking;
    3. Felony computer crimes.
  - e. If an Investigator is requested to respond to the scene of an incident, the scene will remain secured by the Patrol Officer(s) until the Investigator arrives, unless otherwise directed by a supervisor or the responding Investigator. When an Investigator arrives on the scene, they will assume the responsibility for the crime scene and investigation unless relieved by a higher authority. Should any supervisor find a need to relieve an investigator of responsibility for the crime scene and subsequent investigation, that supervisor must prepare and forward a detailed memorandum to the Chief of Police, via the Chain of Command, detailing the circumstances surrounding the relief. In absence of any emergency situations, this relief will not occur unless the Operations Lieutenant is first consulted regarding the request.
- B. Case Screening System: criteria for continuing and/or suspending investigative effort.
1. The supervisor of the Investigations Unit [Sergeant], the Police Lieutenant in his/her absence, or designee will review all criminal reports to determine which cases are to be assigned for follow-up by Investigative personnel.
  2. The following solvability factors will be used to aid in determining which cases are likely to be cleared with a reasonable investigative effort.
    - a. Was there a witness?
    - b. Can a suspect be named?
    - c. Can a suspect be located?
    - d. Can a suspect be described?
    - e. Can a suspect be identified?
    - f. Can a suspect vehicle be identified?
    - g. Is the stolen property traceable?
    - h. Is there a significant M.O.?
    - i. Is significant physical evidence present?
    - j. Is there reason to believe that the crime may be solved with reasonable investigative effort?
  3. Specialized cases will be assigned to Investigators based on individual skill and expertise in a particular area.
    - a. This will apply to such crimes as stalking, computer crimes, hate crimes, etc.
    - b. In most instances, crimes against person and other high profile cases will be assigned to the senior Investigator, or in some instances, the Police Lieutenant.

c. In major cases, the Police Lieutenant will act as the lead investigator.

C. System for case file management for the Investigations Unit.

1. Case Status and Control System. The supervisor of the Investigations, or his or her designee, unit will track assignment and status of all cases utilizing an Investigative Assignment Record. This record will include:
  - a. Case Number
  - b. Type of Offense
  - c. Date of Incident
  - d. Name of Investigator
  - e. Date Assigned to Investigator
  - f. Disposition classification
  - g. Date of Disposition
2. The Police Lieutenant in charge of the unit will periodically review the cases assigned to Investigators. During this review, the Lieutenant will be updated on the progress on the case and will offer advice or additional resources, if necessary.
3. Types of Records to Maintain. Case files will be maintained on all cases in which investigative activity is ongoing, to provide an immediate information resource to investigators. Case files will contain the following information:
  - a. Copy of the preliminary investigative reports. (Originals will be maintained in Records.)
  - b. Records of statements.
  - c. Records of activity on the case.
  - d. Results of examinations of physical evidence.
  - e. Copies of photographs and information on suspects.

NOTE: No evidence may be maintained in case files.

4. Case Status Designations / Administrative Designators for each case. If a case is to be cleared, the Investigator will use one of the following codes:
  - a. Closed by arrest – The suspect has been arrested for the offense associated with the particular case, or criminal charges have been issued.
  - b. Closed by Exception – The case may be cleared exceptionally if any of the following apply:
    - 1) The investigation definitely establishes the identity of the offender and there is enough information to support an arrest charge and to turn the case over for prosecution;
    - 2) The exact location of the offender is known so the subject could be taken into custody.

- 3) There is some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender. Reasons may include:
    - The victim chooses not to, or is unwilling to proceed with prosecution of the case.
    - The suspect cannot be prosecuted because of death or serious illness.
  - c. Suspended – There are no further leads and the identity of the suspect cannot be determined. Suspended cases may be reopened if additional information or leads develop.
  - d. Unfounded – An incident is considered to be unfounded when, upon investigation, it is determined that the crime or incident did not occur.
  - e. Referred – The case is referred to another agency outside of the department that has jurisdiction and will conduct the follow-up investigation. When using this classification the Investigator must note which agency will complete the investigation.
  - f. Case Disposition Authority
    - 1) The Investigator will have the authority to assign case status disposition to any cases that are assigned to him/her.
    - 2) The Police Lieutenant will have the ultimate authority to review and change that initial disposition based on the nature and status of the case.
5. Accessibility to files.
- a. Investigators must insure the confidentiality of all of their case files and maintain them in a secure location with restricted access.
  - b. Case files will be accessible only to those with a legitimate right and need to know what is contained in them.
  - c. The supervisor of Investigations shall have access to all investigative files at all times.
6. Procedures for purging files.
- a. Each Investigator is responsible for the maintenance of their assigned cases and documentation of activity on those cases.
  - b. All supplemental reports must be forwarded to Records for inclusion with the original report and to ensure the publication of dispositions through the Department's records management system.
  - c. When a case becomes closed, all records and reports, to include investigative notes, will be consolidated in the Records Unit files and all copies will be purged from the Detective's files. No copies of closed reports will be maintained by Investigations. For notable cases which may later be

referenced or used for training, a listing of applicable case numbers, and subject of the investigation can be maintained by each investigator.

D. Procedures to be used in criminal investigations.

1. Information development.

- a. Involves the collection and recording of facts surrounding the offense.
- b. Involves facts about persons, things, actions, times, places and methods and means of operation.
- c. May be obtained through:
  - 1) Review of preliminary reports;
  - 2) Background Investigations (records checks);
  - 3) Review of University records;
  - 4) Review of applicable statutes;
  - 5) Contact with informants;
  - 6) Examination of evidence; and
  - 7) Interviews with witnesses, victims, and suspects.

2. Interviews and interrogation.

- a. Interviews of victims and witnesses and interrogation of suspects, are conducted to obtain information relevant to the offense and subsequent prosecution.
- b. Formal interviews and interrogations are to be recorded.
- c. The following guidelines will assist in the interview and interrogation process:
  - 1) Review all reports, statements and supporting documents prior to the interview;
  - 2) Review all of the elements of the offense;
  - 3) Plan the time, place, content and order of the interviews; and
  - 4) Prepare, if necessary, questions or factors to use as guide related to critical information.

3. Collection, preservation, and use of physical evidence.

- a. The collection and preservation of evidence is done with the intent of identifying and prosecuting the perpetrator.
- b. Specific procedures on crime scene processing can be found in General Order III-1: Property and Evidence Control.
- c. The following guidelines should be followed when handling a crime scene:
  - 1) Approach the scene carefully;
  - 2) Secure and protect the scene;

- 3) Conduct a preliminary scene survey for potential evidence locations;
  - 4) Take detailed notes and document those in your reports;
  - 5) Photograph scenes prior to removing any evidence, or processing for fingerprints;
  - 6) Note locations where each item of evidence was located;
  - 7) Package each item of evidence as noted in G.O. 6-2, Evidence Control Procedures; and
  - 8) Maintain chain of custody on all items of evidence.
4. Execution of background investigations.
- a. Background investigations can establish relevant information about a suspect for use during the investigation of an offense.
  - b. Officers who complete background investigations must follow and comply with CLETS/NCIC User Agreements to protect the confidentiality of Computerized Criminal Record Data. Any information obtained is restricted to a criminal investigation.
  - c. There are several sources that can be utilized for obtaining information when conducting background investigations. These include:
    - 1) Hometown, neighboring law enforcement agencies;
    - 2) DOJ;
    - 3) CLETS/NCIC, CORI, FBI and other federal agencies;
    - 4) Relatives, friends, acquaintances, and neighbors;
    - 5) Educational institutions;
    - 6) Business associates;
    - 7) Present and past employers, and fellow employees; and
    - 8) Division of Motor Vehicles.
5. Surveillance.
- a. Surveillance is defined as the observation of a person, who is suspected of committing an offense or a place, which is likely to be the location of a criminal offense.
  - b. Surveillance can either be accomplished in person or through the use of covert surveillance camera equipment.
  - c. Personal surveillance can be performed in a vehicle or on foot.
  - d. Involved supervisors and officers will discuss and decide on the best method of surveillance. In all cases where special investigations, surveillances, or other special inquiry programs are planned, the SARA Model, along with the completion of an operations plan which complies with the requirements of Department Order IV-30 will be completed and approved by the Police Lieutenant, prior to conducting the operation.



- e. An after-action report will be forwarded to the Chief of Police no later than ten working days after the completion of any special investigation, surveillance, or special inquiry investigation.
  - f. Communications procedures will be discussed and coordinated with involved personnel and communications personnel.
  - g. Notifications to watch personnel will be made and to any outside agency that may be affected or involved.
  - h. The watch commander may authorize the use of unmarked vehicles for use in surveillance activities by patrol personnel.
  - i. Surveillance through the use of covert camera equipment will be in accordance with applicable Federal and State laws.
  - j. The Police Lieutenant or Chief of Police must authorize the use of covert camera equipment.
  - k. Covert camera equipment will not be utilized where a reasonable expectation of privacy exists without obtaining a court order.
- E. Checklists to aid in criminal investigations.
- 1. Investigative checklists are intended as guidelines to an investigation.
  - 2. The Department's Incident Report format that is derived from ARMS contains a satisfactory checklist for most investigations to insure that proper information is obtained in each case.
  - 3. For more complicated investigations, the Department has designed checklists to assist Investigators.
- F. Sworn positions in the Investigations Unit shall be the same as those used in the Patrol function.
- 1. Rank and titles shall include sergeant, corporal, and/or officer.
  - 2. Salary schedule shall be as determined by SUPA contract, which is the same as Patrol.
- G. Attendance of Investigators at Patrol shift briefings.
- 1. The periodic attendance of Investigations personnel to Patrol shift briefings is designed around the exchange of crucial information and the enhancement of relationships between the two entities.
  - 2. Investigations personnel shall:
    - a. Update Patrol on all requirements and changes instituted by the District Attorney's Office;

- b. conduct periodic training on new laws, court decisions, investigative and interview procedures; and
    - c. review evidence gathering techniques and other appropriate investigative or crime prevention information.
  3. In addition, Investigations personnel shall provide information related to crimes and incidents occurring on campus or in the area that could have an impact on patrol strategies.
- H. The use of technical aids for the detection of deception [polygraph or voice stress analyzer].
  1. No officers or employees are presently certified to use (as the operator) instruments designed for the detection of deception.
  2. If another agency provides such services in connection with an investigation, the requesting department official shall ensure the operator is properly certified.
  3. Instruments used for the detection of deception:
    - a. are only to be utilized to supplement a thorough investigation, and will not be utilized as a substitute for investigative work;
    - b. can be used anytime there is an issue of credibility of victims (except sex crime victims), witnesses and suspects; and
    - c. participation of the subject must be voluntary and consent shall be obtained by a signed and witnessed waiver.
- I. Policies and procedures to be followed when using informants.
  1. As a general rule, all informants will be turned over to the Prosecuting Attorney's Office. Should the department choose to utilize the services of an informant, the Investigations Unit is responsible for the coordination, maintenance, tracking, and security of the related data.
  2. Definitions:
    - a. Informant. Any person who, under the direction of a specific officer and with or without expectation of compensation, furnishes or performs a lawful service for the department in its investigations and operations.
    - b. Defendant Informant. An informant who is subject to arrest and prosecution for a State or Federal offense, or a defendant in a pending case who expects compensation for his assistance in either the form of judicial or prosecutive consideration of another form.
    - c. Restricted Use Informant. Any person who meets any of the following criteria shall be considered a restrictive use informant, subject to use as authorized below:

- 1) Person less than 18 years of age – May only be utilized after obtaining the written consent of the juvenile’s parent or guardian.
  - 2) Person on probation or parole (Federal or State) – Only with the consent of the agency supervising the person.
  - d. Sources of Information. The title *Informant* as well as informant requirements does not apply to sources of information. A source of information is a person or organization, not under the direction of a specific officer who provides information without becoming a party to the investigation itself, such as a concerned citizen who witnesses an event of interest.
    - 1) Should a person who would otherwise be considered a source of information seek financial compensation, or become a continuing active part of the investigative process, his status will be shifted to that of an informant.
    - 2) Generally a person or organization fitting within this definition can be identified by name in investigative reports.
  - e. Informant Criteria. There are three criteria that must be met to establish a person as a department informant.
    - 1) The person must be in a position to measurably assist the department in a present or future investigation.
    - 2) To the extent prudent judgment can be made, the person will not compromise the department’s interests and activities.
    - 3) The person will accept the measure of discretion necessary to effectively utilize his/her services.
3. Master Informant File.
- a. The Investigations supervisor shall establish and maintain an Informant Master File.
  - b. The content of the informant file shall include:
    - biographical and background information;
    - criminal history record, if any,
    - a code name or number for each informant;
    - The type and validity of information obtained; and
    - The informant’s involvement in the investigation
  - c. The maintenance and security of the informant file shall be the sole responsibility of the Investigations supervisor. Access to the information and related codes shall be limited to the Investigations supervisor only.
4. The department shall not pay informants or enter into any obligation to manage the payment of informants through the Prosecutor’s Office or another agency.
- a. This department has no confidential informant fund.
  - b. Compensation to informants, if any, shall be coordinated through and by the prosecuting attorney’s office.

5. Methods utilized to protect identity and precautions to be taken with informants.
  - a. The following requirements shall apply to the development of defendant informants:
    - 1) The approval of the appropriate prosecutor (that is Federal, State or local) will be obtained prior to seeking the cooperation of a defendant.
    - 2) A defendant may be advised that his cooperation will be brought to the attention of the appropriate prosecutor. No further representations of assurances may be given without approval. The prosecuting attorney shall have the sole authority to decide whether or not to prosecute a case against a defendant/informant.
    - 3) The appropriate prosecutor shall be advised of the nature and scope of the defendant's cooperation throughout the period of his/her use. The prosecutor shall set the procedures and frequency of this reporting.
    - 4) An assessment should be conducted to determine whether there is a risk of physical harm to the informant or their immediate family or relative for cooperating with the police.
    - 5) All operational and personal risks should be evaluated and mitigated to the highest degree possible.
  - b. General procedures/precautions for informant use by Patrol officers and Investigations personnel.
    - 1) Each informant must be registered. Because of the difficulties involved with the use of an informant by an officer, the perspective informant is likely to be managed more effectively by an investigator who is not required to provide concurrent patrol duties.
    - 2) Officers are not precluded from using informants in compliance with this written directive.
    - 3) If an officer or investigator encounters an individual who they believe will make a potential informant, the officer will discuss the merits and liabilities relevant to that person with their supervisor and commander as soon as practicable.
    - 4) The officer or investigator will provide background and criminal history on the prospective informant as well as potential information to be provided. This information will then be forwarded to the Prosecuting Attorney by the Investigations supervisor to determine the feasibility of utilizing the informant.
    - 5) An informant (or source of information) shall be advised at the onset that:
      - He/she shall not violate criminal law in furtherance of gathering of information or providing services to the police department and that any evidence of such a violation will be reported to the appropriate law enforcement agency.

- He/she has no official status, implied or otherwise, as an agent or employee of the police department.
  - The information he/she provides may be used in a criminal proceeding and that although the department will use all lawful means to protect the informant's confidentiality, this cannot be guaranteed.
- 6) The case officer must control the direction of the operation and the informant. Informants should not be present at briefings.
  - 7) Officer/informant contacts will be of a strictly professional nature. Extrinsic social or business contacts are expressly prohibited.
  - 8) Contacts with an informant will be such that his knowledge of the department's facilities, operations, activities, and personnel is kept to the minimum necessary to his successful utilization.
  - 9) At least two officers should be capable of contacting an informant. Whenever practical, two officers will be present at all contacts with the informant.
  - 10) All significant contacts with the informant, and all information obtained at these contacts will be documented in writing.
- c. Where an informant is to participate in an undercover purchase in which he may come in contact with official funds, controlled drugs, or anything else of potential evidentiary value, he/she will be thoroughly searched both before and after the undercover encounter, and where possible, kept under continuous observation in between.
- d. Informant confidentiality: Case law allows the identity of a confidential informant to remain secret when previous reliability as an informant can be shown. The investigator/officer will safeguard the informant's identity.
- 1) The true identity of the informant will be made known only to individuals who have a clear need to know.
  - 2) Absolute and unrealistic promises regarding anonymity will not be made.
  - 3) Investigators/officers will structure investigations as much as possible to prevent the informant from becoming a material witness to a crime and therefore requiring his identity to be disclosed.
  - 4) The investigator/officer will advise the informant that circumstances may require him/her to testify in court.

V. APPENDICES: None.