


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 7.07</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: Criminal Investigations</p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as:</p>	<p>State Certification Standards:</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures for the Criminal Investigation Division of the Rabun County Sheriff's Office.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office to reduce crime through the successful completion of the criminal investigative process, which should identify, cause the arrest and conviction of the suspect, and recover stolen property.

DISCUSSION

To increase the effectiveness of the Rabun County Sheriff's Office's investigative efforts by establishing uniform procedures and guidelines for preliminary and follow-up investigations.

A. ORGANIZATION AND RESPONSIBILITIES

1. The Commander of the Criminal Investigations Division shall be responsible for coordinating and overseeing the investigative operations of the Rabun County Sheriff's Office. The Commander will operate under the direct authority of the Colonel/Chief Deputy and shall at all times ensure that the Colonel/Chief Deputy and the Sheriff are informed of all major investigations. There will also be as many supervisors, investigators and deputies assigned to the section as is necessary to handle the caseload on a reasonable basis. All personnel assigned to the Criminal Investigation Division will be non-uniformed.

2. The Criminal Investigation Division is divided into two units:
 - A. Crimes Against Persons - The Crimes against Person's Unit's responsibility is to investigate all violent crime and person's based crimes that have occurred within the jurisdiction of the Rabun County Sheriff's Office. These include all offenses involving physical assault, terroristic threat, phone harassment, missing person/juvenile, child molestation, child abuse, stalking, rape, murder, death investigation, and kidnapping.
 - B. Crimes Against Property - The Crimes against Property Unit's responsibility is to investigate all property and financial crimes that have occurred within the jurisdiction of the Rabun County Sheriff's Office. Examples of the crimes the unit investigates are burglaries, auto thefts, entering autos, criminal damage to property incidents, felony thefts, identity theft, fraud, forgeries, and any other crimes related to property.

II. CRIMINAL INVESTIGATION PROCEDURES

Information Development

1. The development of pertinent case information begins when the call for the Sheriff's Office is received and continues until the case is cleared or suspended. Obtaining and recording even apparently minor information is often crucial to the successful conclusion of a case.
2. Outside agency information that can be valuable in an investigation and should be used when appropriate. Such information includes but is not limited to:
 - A. GCIC/NCIC criminal history records information;
 - B. Vehicle registration information;
 - C. Driver's license information;
 - D. Probation and parole records;
 - E. Court records;
 - F. Tax records;
 - G. Local and federal agencies records;
 - H. Welfare and social service agency records.
3. Private organizations and agencies can also provide information valuable to investigations. Court orders, subpoenas or search warrants may be necessary to obtain certain records. Such sources of information include but are not limited to:
 - A. Utility company records;
 - B. Telephone company records;
 - C. Bank and credit agencies;
 - D. Insurance companies;

E. Medical records.

Collection, Preservation and Use of Physical Evidence

1. Physical evidence is of major importance in all cases, particularly those without witnesses. The successful prosecution of a case often hinges on the quality of the physical evidence that is collected and preserved.
2. All deputies and investigators are responsible for the preservation of evidence and for maintaining and documenting the chain of custody of all evidence that is in their custody.
3. The Crime Scene Investigator in charge of the crime scene will handle most evidence collected.
4. Deputies having questions about collection and preservation of specific items of evidence should consult the Crime Scene Investigator, the Lead Investigator, or the Incident Supervisor.
5. Surveillance is an important aspect of criminal investigations. Important information can be developed from surveillance such as the identity of suspects, vehicles used, suspect's associations, and other critical information in a criminal investigation.

Surveillance can be defined as the secretive, continuous and sometimes periodic watching of persons, vehicles and places or objects to obtain information concerning activities and identities of individuals. Often times, surveillance is the only investigative method available to identify the sources, couriers or recipients of narcotics, narcotics stashes and the co-defendants in an operation. When conducting surveillance the Investigator should consider the following:

- A. Planning and preparation of the surveillance operation will be approved by the Lieutenant and supervised by the appropriate supervisor. Allocation of manpower and resources should be made during the planning process.
- B. Members of the surveillance team will be given an investigative synopsis of the case as it relates to the surveillance. This synopsis should contain all information available pertaining to the suspect, vehicles used, associate's vehicles, photos, physical descriptions, etc.
- C. Surveillance teams should become very familiar with the area in which the surveillance is to be conducted. Therefore, members of the surveillance team should view the area surrounding the surveillance area prior to the execution of the surveillance.
- D. All equipment utilized should be tested and checked prior to the surveillance by the surveillance team.
- E. When a moving vehicle surveillance is conducted, a minimum of two vehicles should be utilized.
- F. Depending on circumstances, location, density of population, and concealment, two investigators should be utilized for foot surveillance.
- G. Prior to the initiation of a long term surveillance the Investigator should submit an estimate on initial and relief manpower needs, communication, surveillance equipment, and vehicle requirements, surveillance expenses and court authorizations when applicable.

Criminal Background Investigations

1. In the course of conducting criminal investigations, it is sometimes necessary to seek out background information concerning individuals who are suspected of criminal activity. Information, which is gathered during these background checks, is often of a secretive and confidential nature. In order to protect the Sheriff's Office and individual deputies from possible suit, it is necessary that guidelines be established for the conduct of these background investigations and dissemination of information gathered thereby.
2. Any deputy who, while investigating a criminal matter, decides that a background investigation is necessary shall immediately notify his supervisor. The deputy and the supervisor shall consider the following when conducting background investigations:
 - A. Identifying the purpose of the investigation;
 - B. Identifying potential sources of information;
 - C. Determining how the information will be used after it has been collected;
 - D. Controlling the distribution of related records;
 - E. Possible purging of these records at a future date.
3. In this regard it should be remembered that the dissemination of information on suspect offenders that would not be admissible in court should be restricted to those deputies who have a clear need for such information.
4. This regulation shall apply to background information, which is gathered in relation to ongoing criminal investigations. It shall not apply to background investigations, which are conducted for employment purposes.
5. This agency shall make use of information gathered by GCIC and NCIC by utilization of the Sheriff's Office's computer, which accesses GCIC. This utilization gives the deputy/investigator information about inter-jurisdiction and inter-state criminal activity.

III. PRELIMINARY INVESTIGATION PROCEDURES

FIELD INCIDENT REPORTING

The Field Incident Reporting System describes the personnel and various duties that shall be performed to collect information, process, and file reports for the Sheriff's Office records system. It is the policy of the Rabun County Sheriff's Office that official records be prepared and maintained to document every reported sheriff activity, whether originated by a citizen or Sheriff's Office member. Employees will prepare documentation for the following categories of incidents, which occur in Rabun County.

1. Citizen reports of crimes. An employee is assigned to investigate, or an employee is assigned to take action at a later time.
2. Citizen complaint
3. All citizen requests for services of the Sheriff's Office when a deputy is dispatched.
4. Criminal and non-criminal cases initiated by, or coming to the attention of Sheriff's Office personnel.
5. All auto accidents reported to sheriff.

6. Incidents involving arrests, citations, or summonses

E911 DISPATCH'S DUTIES

1. Providing E911 support to deputy's in the field.
2. Recording all activity of deputy's in the field and being continuously aware of their status and any ending emergency conditions.
3. Recording law enforcement activities on the radio log.

PATROL DEPUTY'S' DUTIES

When providing normal law enforcement services, patrol deputies perform four primary duties, including patrol, surveillance, investigation of offenses, arrest of offenders, and public service assistance. In performance of these duties, the following records shall be completed by deputy's:

- Incident Report: Used in describing the incident which has occurred and those actions taken by the deputy; reporting names and other related information on persons involved in incidents; recording serialized and non-serialized articles, events, suspects and witnesses, statements, investigative leads, any citizen report of criminal activity, and arrests made by deputy's.
 - Supplemental Report: Used in recording follow-up investigations and all narratives to the Incident Report. Supplemental Reports will be computer generated.
 - Miscellaneous Report: Used to document an incident that does not warrant an Incident Report.
 - Family Violence Report: Used to document all family violence calls including verbal arguments.
 - Personal History Report: Used in recording information of an arrest and booking.
 - Uniform Traffic Citation: To be completed on all traffic law violations resulting in a traffic citation issued as a summons to appear in court.
 - Uniform Accident Report: Used in recording a traffic accident.
 - Vehicle Impound / Inventory Report: Used in recording a vehicle which is impounded/ inventoried.
1. In completing these reports, the assigned patrol deputy will initiate and complete as many of the activities listed below as are necessary. The individual circumstances of the incident will determine how many of the activities are required.
 2. The Rabun County Sheriff's Office will fully investigate all reported crimes and incidents with sufficient resources provided consistent with the investigative leads and magnitude of the crime.
 3. Upon arrival at the scene of a crime, the patrol deputy or investigator having responsibility for the preliminary investigation should:
 - A. Assess the crime scene to provide a level of safety for the deputy, victim and witness;

- B. Provide aid to the injured;
 - C. Protect the crime scene to ensure that evidence is not lost or contaminated;
 - D. Observe and record all conditions, events and remarks;
 - E. Determine if an offense has actually been committed and, if so, the exact nature of the offense;
 - F. Determine identity of suspect(s), affect an arrest, if it can be accomplished either at the scene or through immediate pursuit, and interrogate suspect after the suspect has been advised of his constitutional rights and the right to have legal counsel;
 - G. Through the 911 dispatcher, furnish other field units with descriptions, methods and direction of flight and other relevant information concerning wanted persons or vehicles;
 - H. Obtain location and complete identification of all witnesses (date of birth, social security number, home or work addresses and phone numbers, pager numbers, etc.);
 - I. Determine what information is known by the victim, complainant and each witness;
 - J. Determine in detail the exact circumstances of the offense;
 - K. Obtain written or oral statements from victim(s), witness(s) and suspect(s) if such statements can be obtained legally and are necessary for the solvability of the crime;
 - L. Accurately and completely record pertinent information on prescribed incident reports and/or field interview cards;
 - M. Make appropriate GCIC/NCIC modification and clearance referrals when applicable to the Records Technician or 911 Center;
 - N. Arrange for the collection of evidence and crime scene processing. Dust for fingerprints where there is a possibility of obtaining latent prints;
 - O. When necessary, brief supervisors, deputies and/or investigators who may assume the follow-up investigation as to the known facts of the case;
 - P. Check suspect(s) through E911 for possible outstanding warrants.
4. Death Investigation Report Procedures
- A. Deputies will only complete an initial report if the unattended death is determined to be of natural causes. Investigators, upon arriving at the scene of a human death, will be responsible for completing the initial report.
 - B. The lead investigator on the case will be responsible for acquiring supplemental reports from those deputies who were involved as first responders or otherwise participated in the case.

Patrol Division Commander Responsibilities

Upon arrival at the scene of a crime, the Patrol Division Commander shall coordinate the following:

1. Immediately ascertain from the patrol deputies the seriousness of the incident under investigation and the basic details concerning the crime;
2. Ensure that the deputies conduct a thorough preliminary investigation and gather all pertinent facts and information;
3. Provide leadership to subordinates to ensure an efficient and effective preliminary investigation;
4. Ensure that patrol deputies devote that amount of time necessary for a quality preliminary investigation without jeopardizing other important police services;
5. Review preliminary investigation reports as soon as possible and ensure completeness of the reports prior to approving them. (NOTE: If the preliminary investigation report is incomplete, the supervisor will return the report to the deputy for completion.) The report must be completed prior to the end of the shift. If, due to circumstances beyond the deputy's control, the report cannot be completed prior to the end of the shift or if there is an error contained within the report, the approving patrol supervisor will attach a note to said report explaining the problem. The deputy will make corrections as soon as possible and will not receive compensation if off duty. The approving patrol supervisor will be held accountable for the completeness of all preliminary investigation reports.

General Responsibilities

1. Except in those cases where the presence of a uniformed deputy would obviously hinder a proper investigation or specific expertise is required, the uniformed deputy assigned to the call shall conduct the preliminary investigation.
2. The assigned deputy shall initiate and complete as many of the activities listed above as are necessary. The individual circumstances of the incident will determine how many of the activities are required.
3. The deputy assigned shall be responsible for initiating action through his immediate supervisor to inform other appropriate Sheriff's Office sections that a serious crime or one requiring immediate on-the-scene, follow-up investigation by the Criminal Investigation Division exists.

I. **PHYSICAL LINE-UPS**

1. Definition

A physical or formal line-up is an identification procedure in which a suspect is placed in a live group setting and presented to a witness / victim.

2. When Permissible

Whenever identification by a witness / victim might be obtained, a physical line-up should be held following the arrest of suspect, unless one of the following makes a line-up unwise or impractical:

- A. Unusual Appearance of Suspect - Lack of suitable persons to include in the line-up group (e.g., the suspect is very tall or very short, very young or very old; the suspect's hair length or facial hair is unusual).
- B. Prior Knowledge - The witness knew the identity of the suspect before the offense occurred (e.g., personal acquaintance, relative, neighbor, co-worker); or learns of his identity without law enforcement assistance

after the offense (e.g., a victim spots the suspect at his place of employment, or an eyewitness recognizes the suspect's picture in the newspaper); or the prospective viewer has had an opportunity to identify the suspect in an earlier confrontation procedure.

- C. Inconvenience - The suspect is in custody at a place too far from the witness.
- D. Lack of Viewers - There is no witness willing or able to view a line-up.
- E. Uncooperative Suspect - The suspect threatens to disrupt the line-up.
- F. Suspect Released from Custody - The suspect was released on bond or recognizance before he could be viewed,
- G. For any other reason based on timing, or inconvenience for the viewers or deputies conducting the line-up.

3. Location of a Physical Line-up

All physical line-ups will be conducted at the Detention Center.

4. Primary Responsibility for Conducting a Physical Line-up

Primary responsibility of conducting physical line-ups will rest with deputies serving in an investigative capacity. CID personnel will arrange to conduct a physical line-up.

5. Coordinating With the Detention Center

Prior to setting a time and date for a physical line-up, the primary investigator should confer with the Detention Center to arrange a convenient time and date.

6. Arranging a Physical Line-up

- A. Once a suspect is in custody, a time and date should be set in order to conduct a physical line-up. The primary investigator assigned to the criminal investigation should contact all witnesses and victims that might be able to identify the perpetrator and arrange for them to attend the line-up.
- B. Physical line-ups should only be conducted once. If there is reason to believe that the suspect may have been involved in other criminal acts, other investigators should be notified of the time and date. When numerous witnesses/victims are to attend a physical line-up, a schedule should be developed. This will reduce the chance of witnesses/victims communicating with each other prior to and after the line-up. Witnesses/victims attending a physical line-up should be separated to prevent any communications from occurring.

7. Developing the Physical Line-up / Suspect

- A. Once a suspect has been arrested and is still within custody, the suspect has no right to refuse to participate in a physical line-up.
- B. The suspect must be advised, at least 24 hours in advance, of the physical line-up and that his presence is required. The suspect should be told that he has no right to refuse to participate and that he has a constitutional right to contact an attorney and have the attorney present during the line-up. If the suspect cannot afford an attorney, and wants one, an attorney will be provided, without cost. If the suspect requests

an attorney, the suspect should immediately be told that it will be his (the suspect's) responsibility to contact an attorney. If the suspect requests an attorney and states that he is indigent (cannot afford to hire an attorney) then the investigator should immediately cease the interview. Once any suspect has been advised that he is to participate in a physical line-up and the suspect requests an attorney, the case investigator will contact the Rabun County DA's Office or Solicitor's Office.

- C. After advising the suspect of these rights, the deputy will attempt to have the suspect sign a waiver acknowledging refusal of his right to have an attorney present.
- D. The suspect should be dressed in the standard jail inmate uniform prior to the line-up.

8. Developing the Physical Line-up/Fillers

- A. Each physical line-up will have a minimum of six (6) participants, including the suspect. In the event of multi-suspects, the line-up should contain only one suspect, if possible.
- B. Others participating in the physical line-up will be known as "fillers". Fillers will be selected from the HCSO Detention Center, if possible, and this process should be carefully coordinated with the Detention Center. In selecting fillers, the deputy must understand that no one, other than the suspect, can be required to participate in a physical line-up. The deputy must also select fillers that are similar. Similar does not mean identical or so close as to confuse any witness or victim. Similar means that all participants in the physical line-up be:
 - a. Of the same sex;
 - b. Of the same race;
 - c. Within the same age range;
 - d. Similar in facial and body features, such as facial hair, glasses, injuries, jewelry, amputations, deformities, etc.;
 - e. Similar in hair color and length;
 - f. Similar in height, weight and body size;
 - g. Similar in the clothing worn, such as type, style, color, etc.
 - h. If possible, law enforcement officers should not be used in physical line-ups.
- C. Participants in a physical line-up from the jail will all wear the standard jail inmate uniform. Each participant in the line-up, including the suspect will be assigned a number. The suspect will however, be allowed to choose which number he desires.

9. Conducting the Physical Line-up

- A. All participants in the line-up will stand side-by-side, in numerical order. Participants may be made to speak certain words, move or turn in certain ways, or try on articles of clothing during the line-up. It is important to note that if any request of the participants is made, each participant, including the suspect must complete the request. Participant #1 should first complete the request and through to the last participant who should end the request.

- B. Participants can be required to make any reasonable display of physical characteristics if it does not unduly embarrass or harass them. For example, display of a tattoo, scar, deformity, or other identifying feature recognizable to a witness.
- C. The underlying idea is that the procedure must be FAIR and NEUTRAL. There must be no suggestion to the witness/victim that a certain person is to be identified. The procedure is intended to obtain identification of a suspect - nothing more.

10. Legal Counsel Participation

- A. The courts encourage legal counsel to be present during a physical line-up. Any action on the part of law enforcement deputies might be interpreted as interfering with the suspect's expressed desire for assistance of counsel may be judged as a violation of constitutional rights.
- B. Counsel present at a physical line-up is there to observe. Counsel is allowed to make suggestions during the process. Counsel may not interview, question, object, or otherwise interfere with the physical line-up or the viewing by witnesses/victims.

11. Witness/Victim Participation

Witness/victim participation in a physical line-up should be carefully controlled by the investigator in charge. Witnesses and victims must not be coached or led in selecting one individual over another.

- A. Witnesses/victims must be kept separated from each other and should not be able to overhear any conversation between other witnesses or investigators.
- B. Witnesses/victims must not be able to see the line-up participants, even briefly, prior to actual viewing of the line-up.
- C. Questioning of witnesses/victims must be done individually and privately.
- D. Each witness/victim should either complete a written report or sign a sworn statement detailing any positive or tentative identification made during the line-up.
- E. Each witness/victim may request the line-up participants to speak certain words, move or turn in certain ways, or try on articles of clothing.
- F. Each witness/victim must be told:
 - a. To examine each and every participant closely and carefully;
 - b. Do not feel obligated or compelled to select an individual from this group. The perpetrator may not be in this group.
 - c. That facial and body features and characteristics may change over a period of time.

12. Identification

If a witness /victim does identify the suspect as the perpetrator, the witness/victim will then be required to state whether their identification is positive or tentative.

13. Photographs or Video Recordings of the Line-up

Photographs or video recordings will be taken of all physical line-ups.

14. Presence of a Supervisor

A CID supervisor will be present at all physical line-ups.

15. Juvenile Participation in a Physical Line-up

If a decision is made to conduct a physical line-up and a juvenile or juveniles will be used, permission must be granted by a Juvenile Court Judge before the line-up may be conducted. If permission has been granted, a CID investigator must be present along with the juvenile's parent or guardian. Permission must also be obtained from a Juvenile Court Judge prior to any videotaping or photographing of the line-up. A juvenile will have the same rights of counsel at a physical line-up and all waivers obtained will be witnessed by a juvenile investigator as well as the juvenile(s) parent or guardian.

16. Probable Cause

Any positive identification in a physical line-up will be considered probable cause. Any tentative identification must have additional information in order to establish probable cause.

V. PHOTOGRAPH IDENTIFICATION

The following procedures shall be adhered to when showing photographs of a suspect not in custody:

1. Attempt to identify only logical suspects.
2. Use six similar photographs, assuring that they are similar in:
 - A. Face;
 - B. Facial hair;
 - C. Hair style;
 - D. Age;
 - E. Type of photograph (black and white, color, school yearbook, etc.).
3. When a suspect is identified, the investigator shall:
 - A. Details about date, time, location, witnesses viewing photographs, and what photographs are used, should be documented in the appropriate report;
 - B. Note all comments by witness/victim as to identification of suspect. This notation shall be made in the appropriate report;
 - C. Place photo spread with case file.

4. If photos are shown and no identification is made, this fact shall be documented in the appropriate report.

I. SOLVABILITY FACTORS/CASE SCREENING

1. Case screening and solvability factors are used to initially determine if a case should be assigned to a field investigator or desk investigator. In all cases the victim of crime will receive some form of initial contact from the Criminal Investigations Division. The following questions are crucial in determining a cases status:
 - A. Is physical and/or forensic evidence (latent prints, footprints, etc.) present at the scene which will aid in the solution of the case?
 - B. Can the victim or witness provide a meaningful description of the offender?
 - C. Is the victim or witness willing to view photographs or create a sketch to aid in identifying the offender?
 - D. If the offender is apprehended, is the victim willing to testify in court?
 - E. Has a distinctive or significant modus operandi pattern been identified?
 - F. Does the crime involve a sensitive or unusual place (daycare, school, etc.) or person?
 - G. Does the frequency of similar crimes in a specific area raise the possibility of public concern?
 - H. Is the offender known by the victim or witness?
 - I. Can the victim or witness identify the offender or offender vehicle?
 - J. Does the victim or witness know where the offender is located?
2. Cases identified as not solvable, because insufficient criteria exist, should be assigned to the desk investigator. The desk investigator will make initial investigative contact on all criminal cases referred to CID. If case screening and solvability factors are insufficient to warrant field assignment the case should be placed inactive by the desk investigator as soon as possible after making initial contact. If substantial leads are developed during the initial desk investigator contact the case will be re-evaluated by that unit's supervisor to determine if assignment to a field investigator is appropriate.

II. FOLLOW UP INVESTIGATION

1. Basic Functions in Non-criminal and Criminal Cases

The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to provide additional investigation in order to affect the arrest of an offender, recover stolen property and/or discover additional facts surrounding the case.

2. Basic functions of the follow-up investigation in non-criminal and criminal cases include:
 - A. Reviewing and analyzing reports of preliminary investigations;
 - B. Interviewing complainants and witnesses;
 - C. Locating missing persons;

- D. Determining if information or suspicious activity may/does relate to criminal activity;
- E. Locating lost property and returning same to the owner;
- F. Investigating deaths, overdoses, suicides and injuries to determine if a crime was committed;
- G. Recording information obtained;
- H. Recording information obtained during follow-up investigation (supplemental report);
- I. Reviewing Sheriff's Office records for investigative leads and records that may aid in bringing the investigation to a satisfactory conclusion;
- J. Seeking additional information (from patrol deputies, informants, contacts in the community, other investigators/agencies social media, etc.);
- K. Interviewing victims, witnesses and suspects;
- L. Arranging for the dissemination of information as appropriate (teletypes to other agencies through GCIC/NCIC, lookouts for patrol personnel, BOLOs for other Sheriff's Office sections and local agencies);
- M. When a search is necessary, it shall be planned and organized:
 - a. A search warrant will be obtained if appropriate for the Crime Scene Investigation. This would eliminate the need for consent to search;
 - b. Assistance from the Patrol Division will be initiated through the Division Commander;
 - c. The investigator in charge shall coordinate with the Division Commander concerning personnel assignments and duties; and
 - d. Division Commander will assign personnel according to instructions and needs provided by Criminal Investigations Division.
- N. Identifying and collecting physical evidence;
- O. Recovering stolen property;
- P. Arranging for analysis and evaluation of evidence;
- Q. Reviewing results from laboratory examinations;
- R. Identifying and apprehending the perpetrator;
- S. Obtaining Arrest Warrants (if necessary);
- T. Checking for criminal history on suspect(s);
- U. Determining if other crimes may have been committed by the suspects and establishing possibility of Modus Operandi;

V. Consulting with the District Attorney's Office in preparing cases for court presentation and assisting in the prosecution thereof;

W. Attendance in court to testify.

3. Criminal Investigations Division Duties and Responsibilities

A. The Criminal Investigation Division is responsible for determining follow-up investigation needs for the above-mentioned crimes and those patrol cases needing special attention or long-term investigation.

B. The Criminal Investigation Division will receive a copy of all crime reports for review and will apply a formal case screening process to all crimes referred to the section to ensure that investigative resources are assigned to those cases that can most benefit from the expenditure of additional investigative effort. Screening will be based on research and experiences within the agency and solvability factors.

4. Investigator Responsibilities

A. Follow-up investigation on all cases assigned.

B. Development of an investigative plan for each case assigned, including:

a. Witnesses to be interviewed;

b. Locations to canvas;

c. Records to obtain and check;

d. Other investigative techniques to be utilized (stakeout, photo show, etc.);

e. Informant information;

f. Making a second contact with victims and/or witnesses for possible additional information.

C. Notifying the supervisor of any change in the case status.

D. Documenting all investigative activities.

E. Discussing case details with supervisor prior to obtaining arrest and search warrants.

5. Supervisor Responsibilities

1. The Criminal Investigation Division Commander will monitor patrol investigations for quality and coordination with other criminal investigations. In addition, he will screen all cases prior to assignment to Criminal Investigations Division.

2. Cases will be assigned based on the following criteria:

A. Seriousness of offense;

B. Suspect or nickname is known;

- C. Tag number of suspect vehicle is known;
 - D. Informant information is available;
 - E. Trace of stolen property;
 - F. A series of crimes;
 - G. Witness who can identify a suspect.
6. The Commander will be responsible for:
- A. Assignment of all cases.
 - B. Monitoring of case progress.
 - C. Disposition of all arrest and search warrants.
 - D. Proper use of investigative techniques by the Criminal Investigations Division.
 - E. Determining the suspension of investigative activity due to the lack of investigative leads.
 - F. Quality of investigations and reports assigned to Criminal Investigations Division.
 - G. Coordination of investigative efforts with the Patrol Division and other law enforcement agencies.
 - H. Submit monthly report of section activities to the Records Section, Sheriff and accreditation manager.
 - I. Establish work schedules and deployment tactics.
 - J. Coordinate and direct the section's investigative efforts.
 - K. Develop required records to be used for direction, monitoring and evaluation of the investigator's activities.
 - L. Supervise personnel on a continuous basis to stay abreast of ongoing activities.
 - M. Be responsible for the training and developing of the Criminal Investigation Division.

VIII. ASSIGNMENT OF PATROL DEPUTIES TO CRIMINAL INVESTIGATION DIVISION

1. Temporary re-assignment of patrol personnel affords the opportunity not only to strengthen the investigative process but also to enhance career development of the individual deputy, create a pool of patrol Deputies who possess investigative experience and provides improved preliminary investigations by patrol Deputies.
2. Whenever investigative workload increases or when a special operation is underway, the Captain of Criminal Investigations Division shall request the Colonel/Chief Deputy for additional manpower. The Colonel/Chief Deputy may assign deputies to the Criminal Investigation Division for up to six months through the chain of command.

3. Deputies assigned to the Criminal Investigation Division shall report in plainclothes according to the dress code established for investigative personnel.
4. Rate of pay for re-assigned deputies shall remain the same as uniformed deputies with proper recording of overtime.
5. Deputies shall receive adequate training by the Criminal Investigation Division before being assigned cases.
6. Deputies shall abide by policies and procedures established by the Criminal Investigation Division and the Sheriff's Office.

IX. CASE ASSIGNMENT

1. When determining the criteria for assigning cases for follow-up investigations, the supervisor should consider research from crime analysis and documented experience of the agency.
2. It shall be the responsibility of the Criminal Investigation Division supervisors to review all incident reports turned in by deputies. The supervisor will assign cases for follow-up investigation based on solvability factors of each case. This decision will be based on the supervisor's personal experience and the solvability factors indicated in the report. In cases requiring specialized skills and abilities (i.e. sex crimes, juvenile offenses, homicides, etc.), the supervisor may assign the case to a particular investigator who possesses the skills necessary to properly conduct the investigation. Once the assignment has been made, the investigator has full responsibility of the case and is thus held accountable for the investigation. A case assignment record shall be maintained and shall include the following:
 - A. Case number;
 - B. Date assigned;
 - C. Type of case;
 - D. Investigator assigned to the case.
3. Investigators shall make contact with victims/witnesses to determine if any new information has been discovered or remembered.
4. The supervisor will review cases assigned within 30 days of assignment for reasons of continuation or closure.

X. CASE INVESTIGATION STATUS

1. Case Status Notification

It shall be the responsibility of the assigned case investigator to notify the victim of any change in the case status. Notification may be made by phone or in writing. When notification is made in writing, a form letter will be used with the case status indicated in the letter.

2. Case Suspension

Supervisors may inactivate or "suspend" an investigation if he feels that the follow-up investigation has exhausted all leads but has not been brought to a satisfactory conclusion and investigative efforts may be resumed. The following criteria will be considered when suspending an investigation:

- A. Absence of further leads or solvability factors.
- B. Unavailability of investigative resources.
- C. The degree of seriousness of the crime.

3. Case Control / Monthly Report

Case assignment records will be maintained by the supervisors of the Criminal Investigation Division for the purpose of preparing monthly activity reports. These reports will show both individual statistics on Criminal Investigations Division as well as unit totals. These records and reports will show the following:

- A. Case number;
- B. Incident;
- C. Victim;
- D. Date of assignment;
- E. Case status;
 - a. Unfounded;
 - b. Open/Inactive (no leads, no evidence, no witnesses, warrant issued);
 - c. Cleared by Arrest (adult/juvenile);
 - d. Ex-Cleared (death of offender, prosecution declined, refused to cooperate, extradition declined, juvenile – NO custody, not applicable);

XI. INVESTIGATOR'S CASE FILE

1. Separate investigator case files will contain copies of all reports, supplement statements, crime lab reports, case status reports and other reports and records used for investigative purposes. These investigator case files shall be retained until the case is completed and all appropriate original documents have been forwarded to the Records Unit. The investigator case file may then be destroyed.
2. Case files should be maintained by each investigator on all cases in which investigative activities are ongoing. Access to working case files will be limited to the following:
 - A. The Sheriff, Colonel/Chief Deputy and Captain;
 - B. Assigned investigative personnel;
 - C. CID supervisory personnel;
 - D. Members of the Solicitors or District Attorney's Office;
 - E. Other non-agency investigative personnel as approved by a CID Supervisor.

3. All files shall be located in a secure area with access restricted to authorized personnel. Under no circumstances will a case file be left unsecured and unattended whereby unauthorized individuals can gain access.
4. Case files will not be removed from the CID office, except for transport to the appropriate judicial official or to another agency office for review.
5. Case files will not be taken to an individual's residence or other location without the prior authorization of a supervisor.
6. Once a case file is completed, it shall be turned in to the investigations supervisor for review. All case files completed, leads exhausted, unfounded or no prosecution are reviewed for completeness and accuracy.
7. Procedures For Purging Files
 - A. Information stored in the case file shall be periodically reviewed and purged to insure that the file is current, accurate, and relevant to the needs of the particular matter under investigation.
 - B. Purging criteria: The following considerations should be applied when case files are reviewed for purging:
 - a. Utility: who uses the information; for what purposes is the information being used; and how often is the information needed?
 - b. Timeliness and appropriateness: is the information outdated; relevant to the purposes for which it was obtained; and should the information be stored elsewhere?
 - c. Accuracy and completeness: is the information still valid; adequate for identification purposes; and can its validity be determined through investigative techniques?

XII. TIME SCHEDULE

The review of CID files for purging purposes shall be performed on an annual basis.

XIII. MANNER OF DESTRUCTION

The destruction of purged material shall be done by shredding or burning and shall be performed under the direction of a supervisor in the grade of sergeant or above.

Original case files will remain on file in the Records Unit in accordance with state law.

I. ATTENDANCE AT PATROL DIVISION ROLL CALL/ INTELLIGENCE MEETING

Criminal Investigations Division will conduct, at a minimum, monthly briefings / training with the Patrol Division to ensure cooperation between the two divisions and enhance the exchange of information. These briefings should include information about criminal activity, crime patterns, BOLO's, any other information that needs to be disseminated and to hand out materials. Criminal Investigations Division will note the exchange of information in case files when applicable. Shift supervisors shall monitor briefings / training to ensure adherence to Sheriff's Office policy.

II. ON CALL

The Captain of the Criminal Investigation Division or his designee will ensure that Sheriff's Office supervisors and 911Dispatch are furnished with an accurate list of all Criminal Investigations Division and their phone numbers who are on call after normal duty hours. Any call for an investigator during this time will be initially cleared through the patrol shift supervisor and subsequently approved by a CID Supervisor. In the event that the investigator on call cannot be located, the investigator's captain or lieutenant should be notified.

III. INVESTIGATOR VEHICLES

Vehicles used by the Criminal Investigation Division shall be equipped with proper emergency lights and siren. Criminal Investigations vehicles shall be unmarked unless otherwise directed by the Sheriff or Colonel/Chief Deputy.

IV. TASK FORCE

1. Occasionally, an investigator may be assigned to participate as a member of an inter-Sheriff's Office investigative task force dealing with major crimes, vice, organized crime or intelligence activities.
2. When forming a task force with other agencies, a written agreement will be drawn up to include the following criteria and any other stipulations deemed necessary and appropriate by the Colonel/Chief Deputy, Sheriff or the County Attorney's Office.
 - A. Identifying the purpose.
 - B. Defining authority and responsibilities.
 - C. Establishing accountability.
 - D. Identifying resources available.
 - E. Evaluating results.
3. After the agreement has been signed, it will be kept on file in the Sheriff's Office for future review. This documentation will serve as a basis for the task force operation as well as justification for its continued use or disbandment.

XVII. CAREER / HABITUAL CRIMINAL

1. The criteria for a Career/Habitual Criminal is stated in O.C.G.A. 35-3-30, which is as follows:

"Career criminal" means any person who has been previously convicted three times under the laws of this state of felonies or under the laws of any other state or the United States of crimes, which would be felonies if committed within this state.
2. All states in which a designated habitual or career criminal is involved will be classified as a case in which the Criminal Investigations Division Commander or designee(s) will make a priority to assign as an active case.
3. The District Attorney's Office will be notified on all cases involving a Career/Habitual Criminal.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County