

**Burleson Police Department
Administrative Policy and Procedures**

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ISSUING AUTHORITY: _____

Billy Cordell, Chief of Police

I. Policy

This department has established and will maintain a “Criminal Investigation Section” (CIS) within the Support Services Bureau. The function of this section is to investigate, process, and file all cases involving criminal offenses against persons or property.

II. Administration

A. The Support Bureau Captain shall administer the operations of the Criminal Investigations Section.

B. The Criminal Investigations Section Sergeant is responsible for;

1. reviewing all offense reports prior to assignment for follow-up investigation or case filing;
2. ensuring a case management system is maintained by the **detectives** and is periodically reviewed for statistical / performance reasons and
3. maintaining a close liaison with the County / District Attorney’s offices in both Tarrant and Johnson Counties.

C. The **detective** will:

1. Upon assignment of a case(s), shall write and prepare thorough, complete, quality reports.
2. Conduct thorough and timely follow-up investigations of assigned cases.
3. Communicate effectively both verbally and in writing.
4. Supervise and conduct crime scene investigations.
5. Periodically attend shift briefings for patrol officers in an effort to enhance communication, exchange information, and build working relationships. [42.2.3]

III. Twenty-four hour availability of **detectives** [42.1.1]

A. The Criminal Investigations Sergeant and **detectives** will work a duty schedule as assigned by the Support Bureau Captain. Additionally, they will provide the communications center with a phone number, which will ensure 24-hour availability. [42.1.1]

B. Call Out Procedure (weekly)

1. **Detectives** will rotate a 24-hour on-call schedule as established by the Criminal Investigations Sergeant. The following call out procedure will be in effect:
 - a. The Criminal Investigations Sergeant will provide an on call schedule to communications and patrol supervisors. This will be updated on a monthly or quarterly basis. The patrol shift supervisor will contact the **detective** by phone.

- b. The on-call detective may be contacted and requested to respond to the scene of the following incidents including but not limited to:
 - a. Death investigation/ deceased persons
 - b. Sexual Assault
 - c. Robbery
 - d. Officer involved shooting
 - e. Stabbing
 - f. Shooting
 - c. Detectives responding to a scene shall arrive within one hour.
- C. Death Investigation:
- 1. The on-call detective(s) are required to respond to incidents that include but are not limited to;
 - a. Suicides – If the death appears to be suicidal in nature, the patrol supervisor shall contact the on-call detective and have them respond to the scene.
 - b. Natural Cause Death – If the death appears to be of natural cause, the patrol supervisor shall determine if a detective is needed at the scene and make appropriate notifications. If the patrol supervisor does not request a detective, they are responsible for overseeing the following, but not limited to:
 - a. Preservation, collection, and processing of evidence
 - b. Identifying and interviewing witnesses
 - c. Collecting written statements
 - d. Documenting the scene through diagrams and photographs
 - c. Accidental Death – If the death appears to be accidental in nature and cannot be categorized as a natural death, the patrol supervisor shall contact the on-call detective and have them respond to the scene. The detective shall conduct a thorough investigation and complete a supplemental report. Examples of possible accidental deaths include, but are limited to:
 - 1. Construction accidents
 - 2. Drowning
 - 3. Electrocutions, and
 - 4. Autoerotic deaths
 - d. Overdose Death – If the death appears to be an overdose, the patrol supervisor shall contact the on-call detective and have them respond to the scene.
 - e. Homicides – If the death appears to be a homicide, the patrol supervisor shall notify the Criminal Investigations supervisor and provide as much information as possible regarding the incident so that the CIS supervisor can determine if additional detectives are needed.
- D. Upon arrival of Criminal Investigations Section:
- 1. Once on scene, the responding detective will assume all responsibilities for the investigation, to include the collection of evidence, interviewing of witnesses, obtaining witness statements, and the consolidation of information with which to focus the investigation. Patrol officer(s) will maintain a visible uniformed presence at the scene to enforce the perimeter restrictions and

assist CIS detective(s) as needed. Patrol officer(s) shall maintain their assignment(s) until released by a supervisor or detective.

2. Upon the completion of CIS work on-scene, they will notify patrol personnel and communications that the scene is being released.
- E. Duties of the on-call detective:
1. The on-call detective will determine if other detectives are needed for the investigation.
 2. The responding detective(s) shall ensure that the CIS supervisor is notified of the response. In cases of Homicide, the CIS supervisor shall respond to the scene. Additional supervisory personnel may respond as necessary.
 - a. The supervisor may respond to non-homicide cases.
 3. The CIS supervisor, if on scene, or the on-call detective will delegate responsibilities to other detectives to ensure a complete and thorough investigation has been conducted. Such responsibilities include but are not limited to:
 - a. Search warrants
 - b. Subpoenas
 - c. Research
 - d. Canvassing the area around the crime scene
 - e. Interviewing witnesses
 - f. Contacting and interviewing family members and friends
 - g. Investigating potential leads
 - h. Coordinating efforts with other agencies

IV. Case Screening [42.1.2]

- A. Due to the need to prioritize case investigations, those cases that have a high degree of insolvability will be suspended until which time further information in the case becomes known.
1. Case assignment shall be determined by the Criminal Investigations Sergeant, based on the following factors:
 - a. Was there a witness to the crime?
 - b. Was there a suspect named?
 - c. Is there a known suspect?
 - d. Was there a suspect description?
 - e. Was a suspect identified?
 - f. Was a vehicle identified?
 - g. Was a sufficient / known modus-operandi established?
 - h. Was there significant evidence?
 2. Case(s) will be suspended when the assigned detective determines that:
 - a. There are no further leads
 - b. There is an unavailability of investigative sources.
 3. All cases suspended by an assigned detective must have the Criminal Investigations Sergeant's approval before final suspension and filing.

V. Case File Management [42.1.3]

- A. Case Status:
1. Case report information is entered into the Records Management System with a case status, the detective assigned, date assigned, and final disposition date. [42.1.3 a]

2. Central Records will maintain original records. The assigned **detective** may maintain an investigative case file that may include, but not limited to copies of:
 - a. the case report
 - b. investigative notes
 - c. witness statements
 - d. evidence logs
 - e. laboratory results and
 - f. status information.
3. If during the investigation an original document is generated, a copy should be made for the investigative case file as soon as practical and the original submitted to Central Records section.
4. At the conclusion of the investigation, the investigative case file will be submitted to the Criminal Investigations Sergeant for review and processing. In the event the case is to be filed the investigative case file will be forwarded with the appropriate coversheet to the appropriate prosecuting authority for review and disposition. A copy of the coversheet will be forwarded to the Central Records Section.
5. If the case is suspended or otherwise closed, the investigative case file may be maintained or properly discarded at the discretion of the **detective**. It will be the responsibility of the **detective** to ensure all documents have been attached to the case electronically in RMS, prior to the original documents being forwarded to the Central Records Section. Upon receipt of the case status through case management, Central Records Section will update the incident case status in RMS with the appropriate case status. [\[42.1.3c\]](#)
6. For the purpose of administrative control, the following "status of case" designations **will be used**: [\[42.1.3b\]](#)
 - a. OPEN: All cases that are actively being investigated are considered open.
 - b. CLOSED: All cases that are cleared by arrest, cleared unfounded or cleared by exception shall be considered closed.
 - c. SUSPENDED: All cases that an active investigation has ceased but are not closed (see closed).
7. The Criminal Investigations Sergeant will be responsible for all final status designations.
8. Anyone in need of a report must request the information from the Central Records Section. [\[42.1.3d\]](#)
9. Case information will be purged by the Central Records Section following the agency's record retention schedule. [\[42.1.3e\]](#)
10. Habitual Offender [\[42.1.5a/b/c\]](#)

A Habitual Offender is defined as an individual having two or more convictions for the same or a similar offense. [\[42.1.5a\]](#) Prior to case filing with the prosecuting agency, **detectives** will check the Criminal History of the subject. The purpose of the Criminal History check is to determine if the subject is a habitual or serious offender. [\[42.1.5b\]](#) If a subject has a criminal history, it will be noted on the Case Filing Cover sheet **and a copy of the criminal history will also be provided to the prosecuting authority.** [\[42.1.5c\]](#)

VI. Preliminary and Follow – up Investigations [42.1.4; 42.2.1a/b/c/d]

It is important that investigative continuity exist with regard to preliminary and follow-up efforts. Officers shall considering their capabilities, time constraints, complexity of the crime scene, etc.

- A. Preliminary Investigations will be conducted by the patrol officer assigned to the call and supervised by the shift supervisor. During the preliminary investigation officers shall, accomplish the following: [42.1.4 / 42.2.1]
1. Observe all conditions, events, remarks and make note of same [42.2.1a]
 2. Locate and identify witnesses (canvassing the area of the crime) [42.2.1b]
 3. Maintain and protect the crime scene and evidence [42.2.1c]
 4. Interview the complainant / victim and all witnesses present [42.2.1d]
 5. Obtain written statements from the complainant/ victim and witnesses
 6. Interview / interrogate the suspect if possible and time permits [42.2.1d]
 7. Either collect or arrange for collection of evidence [42.2.1c]
 8. Effect an arrest of the suspect if possible and lawful
 9. Submit a thorough and timely report
- B. Follow-up Investigations [42.1.4; 42.2.2]
- A. Follow-up investigations will be the responsibility of the criminal investigations section, as determined by the Criminal Investigations Sergeant and based primarily on solvability factors. [42.1.4] A Criminal Investigations checklist will be completed for each case of a felony nature. The checklist is to be used as an investigative tool.
- B. Detectives shall, within established guidelines and time constraints, complete the following tasks during all follow-up investigations:
1. Review and analyze all reports prepared in the preliminary phase of the investigation, department records, and results from laboratory examinations [42.2.2a]
 2. Conduct additional interview / interrogations, as needed [42.2.2b]
 3. Review all departmental records that may hold needed information [42.2.2a]
 4. Seek additional information from uniformed officers or informants [42.2.2c]
 5. Review laboratory report results for pertinent information for prosecution purposes [42.2.2a]
 6. Arrange for dissemination of information as appropriate
 7. Plan, organize, and conduct searches when applicable [42.2.2d]
 8. Prepare the case for court presentation [42.2.2h]
 9. Assist the prosecution
 10. Identify and apprehend suspects [42.2.2e]

11. Collect and preserve physical evidence [42.2.2d]
12. Determine the possible involvement of suspects in other crimes [42.2.2f]
13. Check suspect past criminal history [42.2.2g]
14. Prepare comprehensive, timely and complete report (s)
15. Maintain contact with the complainant / victim and all principles as much as is practical. In any case requiring follow-up investigations or which has been closed; a "second contact" will be made with principals involved.

A case may be assigned back to patrol if it would best suit the efficient operation of the department. In the course of follow-up investigation of a case the officer assigned the case will accomplish the following: [42.1.4]
[Refer to Section VI. B Follow-up Investigations of this policy.](#)

VII. Surveillance:

- A. Will ordinarily be used during serious investigations.
- B. Will be [conducted](#) only by sworn personnel, generally in civilian attire and normally by a minimum of two personnel.
- C. Will be carefully documented for use as evidence in subsequent case filing.
- D. Any operation or use of equipment will be approved by the Criminal Investigations Sergeant. [43.1.4]

VIII. Collection, Preservation and Use of Physical Evidence:

Will be conducted in accordance with departmental policies addressing this subject. [Refer to policy 06-003 Collection and Preservation of Evidence.](#)

IX. Execution of Search and Arrest Warrants

In an effort to enhance officer safety, the Criminal Investigations Sergeant, or the lead [detective](#) will ensure that prior to the execution of a pre-planned arrest or search warrant a threat assessment briefing will be conducted. Some of the things to be considered during the threat assessment briefing include, but are not limited to:

- A. nature of the offense
- B. items sought
- C. suspect's criminal history
- D. known threats and
- E. presence of weapons.

The goal of the threat assessment briefing is to enhance situational awareness of potential dangers and foster improved communication. Pre-planned arrest or search warrants involving violent crimes, or that are otherwise considered high risk require the completion of a threat matrix as established by the S.W.A.T. Commander.

X. Investigative Task Forces

In major cases that show a certain trend / modus operandi, a task force may be established to coordinate all investigative efforts. The task force will be authorized by the Chief of Police once the need for a collective investigation has been determined. [42.2.4a] The following guidelines will be adhered to for the formation of such a task force:

- A. Identify the Purpose
The organizer of the Task Force will set a clear objective, outlining the desired objective / goals and the personnel assigned to participate.

B. Define Authority and Responsibilities

The organizer of the Task Force will be the receiving focal point of all information collected by the Task Force and will designate specific duties and / or responsibilities to the other members of the Task Force. All members will fall under their supervision while assigned to the Task Force regardless of agency affiliation, rank or previous assignment. [42.2.4b]

C. Establish Accountability

Personnel assigned to Task Force operations will report directly to a Bureau Captain assigned within The Burleson Police Department. [42.2.4b]

D. Resource Identification [42.2.4e]

1. Any information already available from the initial offense report, patrol officer observations, witnesses, informant and / or results of crime scene (to include laboratory reports) investigation
2. Any detection-of-deception devices that may be readily accessible to the members of the Task Force
3. All information gathered from other sources that may be of use to the Task Force

- E. The head of the Task Force will assimilate and evaluate all information received during the Task Force investigation and determine when the case has been made and no other investigation is required. [42.2.4c]

XI. Detection of Deception Devices

- A. The Criminal Investigations Sergeant will make the decision when to utilize "detection of deception" devices as an investigative tool. The Burleson Police Department does not currently have any of those devices or license operators on staff. Therefore, trained licensed operators outside the department will be utilized. [42.2.5]

XII. Identity Theft

- A. Identity theft is a serious crime which has untold costs, both financial and personal. The Burleson Police Department is committed to working with other agencies and victims in an effort to diminish the effects of identity theft through reporting, investigation, cooperation, and education.
1. When an individual contacts the police department to report identity theft the initial report will be generated by a patrol officer, utilizing RMS. After determining venue and that the elements to the offense are met the reporting officer will generate an identity theft report documenting the facts and circumstances of the theft and the investigative efforts on the part of the reporting officer. If possible, the reporting officer should obtain a written statement and any available documentation that might assist in the investigation. Once complete, the report will be forwarded electronically to the Criminal Investigations Section Sergeant for review.
 2. The reporting officer should provide the victim with a report number and instruction on how to obtain a copy of the report. Additionally, the victim should be directed to the Federal Trade Commission (1-877-IDTHEFT) or to their website at ftc.gov for information on how they can begin the process of restoring their identity and minimize any additional injury.

3. Upon receipt of the identity theft report, the Criminal Investigations Section Sergeant will review the report for solvability factors (see IV Case Screening). If sufficient factors are present, the Criminal Investigations Sergeant will assign the case to a **detective** for follow up investigation. The **detective** assigned should conduct a follow-up investigation as outlined under section VI of this policy – Follow-up investigation. In the event the investigation leads to another jurisdiction and it is impractical for the **detective** to continue the investigation the case will be forwarded to the appropriate law enforcement agency with jurisdiction for consideration and additional investigation.
4. To assist in prevention, education, and recovery from Identity Theft the public may access the Federal Trade Commissions ID Theft website as well as the Texas Department of Public Safety ID Theft website from the Burleson Police Department home page. Additionally, printed ID Theft material is available to the public at the Burleson Police Department.

XIII. Cold Case Files [42.2.7]

- A. For the purpose of this policy, a “Cold Case” is defined as a violent crime against a person with a case status designation of “Suspended”, which is no longer being actively investigated due to a lack of investigative leads and an inability to identify the person(s) responsible for committing the crime. [42.2.7a]
- B. The Criminal Investigations Section Sergeant will review all violent crimes against person cases and evaluate their suitability for inclusion in the cold case file. The following criteria should be considered in determining whether a case is suitable for inclusion in the cold case files. [42.2.7b]
 1. Physical Evidence such as DNA, tool marks, finger prints, etc.
 2. Behavioral patterns such as Modus Operandi and victimology
 3. Statute of limitations
 4. Potential for media / public assistance
 5. Any additional factors that give the case potential for eventually being solved
- C. The Criminal Investigations Sergeant, upon determining that a case is suitable for inclusion in the Cold Case File will retain a copy of the case file that will be stored in a file cabinet marked Cold Case File. Annually, the Criminal Investigations Sergeant or their designee will review the Cold Case files to determine if circumstances surrounding the case may have sufficiently changed to reopen the case. Special attention should be focused on the following criteria when considering these Cold Cases. [42.2.7b]
 1. New information
 2. Advancements in Forensic science
 3. New Technology
 4. New witnesses
 5. Potential for changing relationships between witnesses, suspects, complainants and their associates or family members
 6. Confession
 7. Statute of limitations
 8. Potential for media public assistance
 9. Existing physical evidence such as DNA, tool marks, fingerprints, etc.
 - a. Any physical evidence that was collected during a criminal investigation that has been deemed a “cold case” shall be examined for the

possibility of trace evidence. If the possibility arises that an item could have trace evidence, the item(s) shall be sent for processing to an accredited forensic laboratory for processing / examination. In the event trace evidence yields a foreign DNA profile, the profile shall be entered into combined DNA Index System (CODIS) for possible identification.

10. Behavioral patterns such as Modus Operandi and victimology.
 - a. "Cold Cases" in which homicide, sex crimes or crimes of violence have occurred, shall be submitted to Violent Criminal Apprehension Program (VI-CAP) through the Federal Bureau of Investigation Local, state and federal databases. Local / State / Federal Criminal Justice information Systems may also be utilized to identify similar patterns, characteristics of modus operandi, victimology, physical evidence, suspect description and behavior.
 11. Any additional factors that give the case potential for eventually being solved.
- D. Investigative actions or follow-up conducted in a cold case will be documented through the computerized records management system either by written report or by electronic "actions". If a cold case is determined to have new investigative leads, that case will be assigned to a [detective](#) for further investigation. [\[42.2.7c\]](#)