
	GAITHERSBURG POLICE DEPARTMENT		
	Preliminary and Follow Up Investigations		
	GENERAL ORDER	604.2	
Effective Date	10/24/2013	1.2.3, 12.1.4, 42.1.1, 42.1.2, 42.1.3, 42.1.4, 42.2.1, 42.2.2, 42.2.6, 55.1.3, 55.2.3, 55.2.4, 55.2.5	
Authorized by:	Mark P. Sroka CHIEF OF POLICE	SIGNATURE	DATE

I. DEPARTMENT POLICY

It is the policy of the Department that the preliminary investigation begins when the first police officer arrives at the scene of a crime, or information concerning a crime is taken by phone. The investigation continues until postponement or transfer of responsibility will not jeopardize its success.

Patrol officers are responsible for conducting preliminary and follow-up investigations of all non-criminal calls for law enforcement-related service, and for misdemeanor crimes, except when:

- The offense appears to be a part of a pattern of offenses;
- The follow-up investigation is required in widely separated locations outside the geographic boundaries of the City limits;
- It involves a misdemeanor offense which is of a sufficiently serious nature to warrant the assistance of specialized Investigative Sections; or
- The Arson Investigations Team, Department of Fire and Rescue Services, assumes responsibility for the investigation and completion of the Event Report.

II. STEPS TO BE FOLLOWED WHEN CONDUCTING PRELIMINARY INVESTIGATIONS

A. Observations and Considerations

1. No two calls for service are exactly the same. Each criminal investigation must be conducted on a case-by-case basis, taking into account several factors. When practical, the guidelines below will be followed by officers conducting preliminary investigations:
 - a. While approaching the scene, and on the scene, the officer should be alert and observe all conditions, events, and remarks;

- b. Provide aid to the injured;
- c. Separate and conduct an initial interview of any witnesses (or complainants) to determine the nature and extent of the crime and gather enough information for a preliminary radio look-out for the perpetrator(s);
- d. Determine whether an offense has actually been committed and, if so, the exact nature of the offense;
- e. If it is established that a crime has been committed and the perpetrator has left, attempt to locate the crime scene and take prompt and reasonable action to protect the crime scene and arrange to have the evidence photographed/collected in accordance with General Order 1101.1;
- f. Determine the identity of the suspect(s) and effect an arrest if it can be accomplished either at the scene or through immediate pursuit;
- g. Furnish other field units with suspect descriptions, methods, and directions of flight, and other relevant information concerning wanted persons or vehicles;
- h. Obtain complete identification of all witnesses, and determine what information is known by the victims and witnesses;
- i. Determine in detail the exact circumstance of the offense;
- j. Obtain written statements from victims, witnesses, and if appropriate, the suspect;
- k. Accurately and completely record all pertinent information on prescribed report forms;
- l. Area canvasses should be conducted when appropriate;
- m. Arrange for interview or interrogation of any suspects.

B. Assisting Victims During Preliminary/Follow-Up Investigations

1. Patrol Officer's Role

- The department is committed to the fair, compassionate and sensitive treatment of victims and witnesses to crime.

- The department recognizes that victims may need and will expect follow-up contact to recover from the effects of crime.
- The police officer's role as a first responder is a critical step in the process of appropriately assisting victims of crimes.
- While the department cannot meet every need, every officer has the responsibility to increase victim/witness awareness and assist them in navigating the criminal justice system.
- The Montgomery County Department of Police provides formal victim/witness assistance to victims initially provided service by the department.
- **Department Investigative Section and Patrol Officers should refer to General Order 604.3- (Victim Witness) for specific policy and protocols for Victim/Witness Assistance.**

III. FOLLOW-UP INVESTIGATIONS BY PATROL OFFICERS

A. Observations and Considerations

1. The follow-up investigation is a continuation of the preliminary investigation to gather information which may result in the arrest of an offender, recovery of evidence, or enhancement of the case for purposes of prosecution.
2. Patrol officers conducting a follow-up investigation of an incident should follow the below-listed basic steps:
 - Review and analyze all prior reports, records and results from laboratory examinations prepared during the course of the full investigation;
 - Effect additional contacts, interviews and/or interrogations to enhance case preparation and corroboration;
 - Keep detailed notes and a case file;
 - Interview other officers, witnesses and informants familiar with the case to attempt to identify possible suspect(s);

- Check the suspect for wanted, conduct a criminal history inquiry, etc., and attempt to determine if the suspect has been described as a suspect in other crimes;
- Upon identification of a suspect, apply for charging documents and arrange for the suspect to be served with them;
- Plan, organize, and conduct searches for the suspect or evidence;
- Arrange for the proper collection, processing, preservation, and storage of the evidence collected; and
- Coordinate case preparation with the State's Attorney's Office.

B. Additional Considerations

1. If a patrol officer will conduct the follow-up investigation, the officer shall so indicate in the officer's initial report. Unless specifically directed to do so, officers will not tell victims that they will be contacted by an Investigator.

IV. INVESTIGATION PROCEDURES

A. Information Development

1. When conducting preliminary and follow-up investigations, officers shall treat each investigation confidentially and refrain from discussing the details of the investigation with persons outside law enforcement.
2. Officers should utilize the following resources to enhance their investigations:
 - GRIP Intelligence database;
 - The Master Name Index;
 - Station reports and prior cases;
 - Department Intelligence databases;
 - Maryland CJIS database;
 - FBI Rap Sheets;

- MCP Rap Sheets;
 - Station photo files;
 - Court records;
 - Other records within the public domain, such as tax records, land records, gun permits, etc.
3. Officers will document additional information developed in periodic Supplement Reports.
- *On cases assigned for follow-up, a Supplement Report must be filed when the investigation reveals additional information.*
 - *Shift supervisors are responsible for monitoring reporting activity of patrol officers to ensure that the required Supplement Reports are completed.*

B. Procedures for Interviews and Interrogations

1. Interviews and interrogations will be conducted in strict compliance with applicable laws and with due regard for the current legal opinions concerning the constitutional rights of the suspect(s).
2. **If an Investigator has been called-out to assist with an investigation, officers will not advise the suspect(s) of their Miranda rights nor initiate questioning about the offense for which the suspect(s) was arrested/detained unless otherwise advised by an Investigator.**
3. See General Order 801.1 - Interviews and Interrogations and Access to Counsel.

C. Background Investigations

1. Background investigations shall be related to a bona fide administrative or criminal investigation.
2. Officers will conduct background investigations of their suspects (and if appropriate, the victim and witnesses) in order to develop incriminating or exculpatory information, and to establish the level of a person's credibility.

3. Prior to the beginning a background investigation, the investigating officer should identify potential sources of information, giving consideration to the civil rights of the individual being investigated and allowing for the potential need for court orders to obtain data.
 - **Data bases, such as the *Master Name Index, CAD, Accurint, GRIP, MILES, and NCIC* may be helpful.**
4. The background investigation and related records may be distributed to those law enforcement persons involved in the case.
5. Criminal History Record Information (CHRI) used for background investigation purposes will not be disseminated or released, pursuant to State Law.

V. SUPERVISORY RESPONSIBILITIES

A. Monitoring Investigations

1. Patrol supervisors are responsible for:
 - Reviewing reports to ensure that an adequate and complete preliminary investigation has been conducted and to determine if a follow-up investigation is warranted;
 - Assigning appropriate cases for follow-up investigation;
 - Monitoring the progress of the investigations conducted by their officers and directing them, if necessary; and
 - Determining whether continuing investigation by patrol officers should be temporarily suspended until the investigating officer's next tour of duty or continued by personnel assigned to the oncoming shift.

VI. INVESTIGATIVE SECTION RESPONSIBILITIES

A. Follow-up Investigations

1. Investigators are responsible for conducting the follow-up investigations of felony offenses and the more serious misdemeanors (see **General Order 607.2 - Notification of Investigators**).

B. The GPD Investigative Section

1. The GPD Investigative Section reports directly to the Special Operations Bureau Commander and is responsible for handling

investigations as assigned by the Bureau Commander or Chief of Police.

2. The MCP Investigative Section, and other specialized units retain primary responsibility for investigating incidents meeting their criteria.
 - *The GPD Investigative Section may assist MCP Investigative Sections and other allied agencies when requested by them, or as necessary.*
 - *The GIS commander coordinates the assignment of cases occurring in the City with the GPD Investigative Section.*
 - *The GPD Investigative Section maintains a close working relationship with MCP Investigative Sections to ensure that efforts are not duplicated.*
3. The GPD Investigative Section works a schedule that is flexible in nature and is available for call-out at all times.
4. The GPD Investigative Section will be notified by the on-duty GPD supervisor in all cases where the supervisor feels the Investigative Section would be of assistance:
 - *The GPD Investigative Section will not be contacted in lieu of required notifications to the appropriate specialized MCP investigative section.*
 - *GIS (MCP) Investigators are available to respond, when necessary, if the GPD Investigative Section is busy or otherwise unavailable*
 - *Situations for which investigative assistance may be beneficial includes taking statements from victims/witnesses, interviewing or interrogating suspect(s), and collecting and submitting evidence.*
5. The Investigative Section also conducts investigations of a non-criminal nature as assigned by the Chief of Police or Commander. These types of investigations include:
 - *Any incident, situation, or event not meeting MCP investigative section criteria or requirement;*
 - *Administrative investigations, internal investigations and background investigations.*

6. GPD Investigative Section shall maintain and keep up-to-date the status of their cases and cases assigned for follow-up by other officers by using the database designed for this purpose.

C. Major Case Supervisor

1. The purpose of the Major Case Supervisor (MCS) concept is to provide assistance to officers and detectives through selected use of more extensive resources and provide maximum efficiency in the investigation of complicated, multifaceted or far-reaching investigations. The concept is of a cooperative nature, realizing the coordination of resources, and is considered to be the most effective investigative approach.
 - a) Assistance may be obtained by the affected officer or detective from the Supervisor of the Investigations Section who will make the final decision as to the initiation of the MCS system.
 - b) Upon initiation, the MCS has at his or her disposal Department-wide resources as to manpower, technical skills or equipment.
 - c) The MCS will possess the authority to assign patrol and specialized units to tasks deemed necessary to bring about a successful conclusion to the investigation.
 - d) The MCS, after consultation with the Special Operations Bureau Commander, will have the ability to authorize overtime as needed.
2. The department will establish two levels of the MCS system.
 - Level 1- The MCS may or may not be present during operations but assigns specialized units and/or patrol units to specific tasks. The supervisors or officers assigned will immediately report any significant developments to the MCS.
 - Level 2- The MCS will be present and actively engaged in coordination of activities of all personnel involved.
3. The MCS will be responsible for maintaining a log of assignments and results during the MCS activation of any case. Upon the conclusion of each incident the MCS will provide an After Action

Report noting specific actions that were found to be productive or non-productive in addition to other miscellaneous information found to be noteworthy during the incident.

4. The final report, associated log of assignments and any other associated documents will be maintained in a file by the Special Operations Bureau Commander.

VII. USE OF TECHNICAL AIDS FOR DETECTION OF DECEPTION

A. Computerized Voice Stress Analyzer/Polygraph

1. Officers conducting preliminary or follow-up investigations may find that a CVSA or polygraph examination may be warranted.
2. A CVSA examination may be conducted during the pre-employment background investigation.
3. Only persons trained in the use of the polygraph or voice stress analyzer will administer examinations.
4. The results of the CVSA or polygraph examination are confidential and will not be released to anyone not involved in the case.