
	GAITHERSBURG POLICE DEPARTMENT		
	Case Screening & Case File Management System		
	GENERAL ORDER 604.9	Related CALEA Standards:	
Effective Date 06/15/2016	42.1.2, 42.1.3, 82.1.5, 82.2.4, 82.2.5		
Authorized by: Mark P. Sroka CHIEF OF POLICE		SIGNATURE <i>Mark Sroka</i>	DATE 06/15/2016

I. DEPARTMENT POLICY

The objective of case screening is to assign available personnel to those investigations that have the best chance of being successful. The Department realizes that a follow-up investigation is not practical for *every* case because of limited resources, staff, and information. Based on solvability factors and other criteria, appropriate decisions are made by the Department’s supervisory and command personnel regarding case follow-up.

When it has been determined that a follow-up investigation will be conducted by this Department, a case file will be initiated and maintained by the investigating officer.

Case files are valuable resources for patrol officers, investigators, and the State’s Attorney’s Office to keep an investigation organized, and to assist with case preparation. Case files maintained by officers for investigations that are ongoing will be maintained in accordance with the provisions of this and other directives, and in accordance with confidentiality requirements.

II. CASE FILE MANAGEMENT

A. Case Status Control System

1. A case file will be initiated whenever an officer begins an investigation based on the criteria listed in General Order 604.2 - Preliminary and Follow-Up Investigations.
 - a. Officers will indicate in their initial report whether or not they will conduct the follow-up investigation. If an officer does not make an indication, the GPD Investigative Section will coordinate with the GIS supervisor to screen the case to determine the level of follow-up investigation.
2. Whenever an officer initiates a case file, they will keep all paperwork relating to the investigation in a suitable case file folder or expanding (“accordion”) file.
3. Patrol supervisors will notify the GPD Investigative Section whenever a patrol officer will conduct a follow up investigation of

- an incident.
- a. Notification will be accomplished by sending the Investigative Section an email, indicating the type of incident, the case number and the date of occurrence.
 - b. Upon receipt of the notification, a member of the GPD Investigative Section will ensure that the Department's Case File Management Data Base has been updated.
4. Patrol officers involved in investigations of those types of cases for which they are responsible, will complete and submit their initial report for supervisory review and approval.
- a. Supervisors reviewing and approving reports will ensure that an appropriate preliminary investigation was conducted and determine the need for and extent of follow-up investigation by their personnel.
 - b. Supervisors will direct the follow-up activities by members they supervise.
5. After the report has been approved internally by a supervisor, the report will be disseminated in the following manner:
- a. The original report will be forwarded to the MCP Records Section;
 - b. A copy will be forwarded to the MCP 6th District Station
 - c. A copy will be forwarded to MCP and GPD Investigative Sections and/or other appropriate specialized MCP units (i.e., Major Crimes, Family Crimes, Fraud, etc.), as required;
 - d. A copy will be provided to the Department's Crime Analyst; and
 - e. A copy will be scanned into the Department's Laserfische imaging system and organized according to the UCR classification.
6. Supervisors will monitor (and, if necessary, assign) cases for follow-up that meet the solvability factors listed in this directive and are within the realm of this Department's investigative responsibilities and (as outlined in [General Order 604.2](#)).
7. To ensure that supervisors and the victim are updated as to follow-

up investigative efforts by officers, Supplement Reports shall be completed and forwarded as indicated above and pursuant to an established twelve-day schedule.

8. Officers initiating or assigned an investigation are responsible for the completion and submission of a Supplement Report(s) no later than **twelve (12) days** after submitting the initial report in accordance with the below.
 - a. Supplement Reports are forwarded according to the twelve-day schedule if information is developed that should be documented in a Supplement Report.
 - b. The completion of Supplement Reports pursuant to the twelve-day schedule (or sooner) ensures that supervisory and command personnel and the victim are kept informed of the current status of the case.
 - c. Supplement reports are due as appropriate, if information continues to develop that drives the investigation.
9. Supplement Reports will be submitted by investigating officers to document:
 - a. The results of follow-up interviews;
 - b. Application for and issuance of a charging document;
 - c. Additional information that is learned concerning the case;
 - d. The closing of a case by arrest, exception, administratively, or as unfounded;
 - e. Any other pertinent information that would assist an investigator (who may eventually assume responsibility for the follow-up), or State's Attorney with case preparation; and/or
 - f. Any information that may assist supervisors in making a determination to continue or discontinue investigative efforts by GPD.

B. Administrative Designators for Cases

1. Every investigation for which a case file has been initiated will use administrative designators by the investigating officer to track investigative efforts and to assist supervisors and command staff in their monitoring of such efforts. The administrative designators

used by the Department are:

- a. Open - the case or investigation is ongoing and is being pursued by an officer(s);
 - b. Closed - the case or investigation has been concluded by arrest or other resolution;
 - c. Closed by Exception or Administratively - the case or investigation will no longer be pursued by an officer due to the development of information that would indicate the incident is no longer a police matter or a complainant/victim has withdrawn their desire to prosecute (except for victims of domestic violence). Before officers close a case under this classification, whenever possible, they should have the complainant/victim execute a Department Release From Investigation form. The case may be reopened if additional information is developed. Absolutely no Release From Investigation forms (208) will be filed for sexual assault cases.
 - d. Suspended - the case or investigation is on hold and that all investigative efforts are (at least temporarily) halted due to all leads being pursued with no resolution of the case and no new leads reported to be followed-up. A suspended investigation does not mean that the case is closed.
2. Except for cases closed by the arrest of all suspects (or referred to FCD/Family Crimes Division for disposition in the case of a juvenile), the decision to close or suspend a case when all apparent investigative leads have been exhausted shall rest with the officer's supervisor.
 3. If an investigating officer believes that an investigation should be closed or suspended (not involving an arrest or referral to FCD), the officer will brief his/her shift supervisor on the status of the case and the reason(s) why it should be suspended or closed. The Shift Supervisor will then make a determination.
 4. When a case is opened, closed, suspended, or updated, Shift Supervisors (or GPD Investigative Section assigned) shall ensure that the investigator's Case File Management Data Base is updated to reflect current information about the case.

C. Types of Records To Be Maintained

1. Even though every case is different, there are some basic

requirements that apply to all case files.

2. Depending upon the nature of the case and the complexity of the investigation, case files (criminal or traffic) should contain:
 - a. A copy of the initial report and copies of all Supplement Reports;
 - b. Copies of all witness statements;
 - c. Crime scene sketches (if applicable);
 - d. Photographs of evidence (not actual evidence that would normally be secured in the Evidence Room) and other things pertinent to the case;
 - e. Lab results or the results of evidence analysis;
 - f. Measurements, if any;
 - g. Copies of the State's Attorney's Evidence Information form, Witness Information form and/or other form that describes crime/collision scene processing;
 - h. A copy of any charging document(s) and Arrest Report (if available);
 - i. The defendant's Advice of Rights form and confession, if any;
 - j. Copy of any Search Warrants or Consent-to-Search forms, if applicable;
 - k. The Release From Investigation form, if applicable; and
 - l. Any field notes or other notes made by the investigating officer that may help to refresh the officer's recollection in Court.
3. To comply with NCIC and CJIS requirements relating to confidentiality of criminal history record information (CHRI), print-outs from CJIS and NCIC containing CHRI may be kept in case file folders, but must be kept confidential.
 - a. Any dissemination of CHRI (to authorized persons only) shall be logged on the dissemination log sheet and maintained in the case file to which the CHRI pertains.

This includes State's Attorneys, other police officers and investigators, etc.

D. Accessibility to Files

1. All investigative files shall be kept secure and out of the public view.
 - a. The GPD Investigative Section and Street Crimes Unit maintain case files in a designated secure area;
 - b. All other officers maintain their case files in assigned file cabinets located in the secure second floor area of the police facility.
2. **Open** case files are maintained in areas of the police facility that allow for access by other Department members, but they will not be located in areas to which the public has access.
3. **Suspended** case files, at the supervisor or bureau commander's direction, may be maintained with Open case files.
4. **Closed** case files are archived securely within the special operations area of the station, unless there is a need to maintain them with the open or suspended files.
 - a. Officers will forward their Closed case files to the Accreditation Manager for storage in the secure storage area.
5. To comply with confidentiality requirements, officers maintaining case files must be cognizant of the fact that certain information is protected from public disclosure. Members of the public are generally provided with copies of the initial report with the names of suspects (not charged with a crime) removed, but are never provided with copies of Supplement Reports since these reports generally describe investigative techniques and procedures (and, on occasion, sensitive information). It is for this reason that the contents of case files not be released or discussed with anyone not directly involved with the case.
 - a. The release of information from any case file to someone not involved with the case must be approved by a Bureau Commander.
6. Officers shall maintain their case files in an orderly fashion that permits easy access to contents by authorized personnel.

E. Procedures for Purging Files

1. **Open** case files are maintained indefinitely by the investigating officer.
2. **Closed** case files are maintained a secure storage areas for at least ten years from the date the case was closed, unless the Chief of Police directs the case file to be held for a longer period of time.
3. **Suspended** case files are maintained indefinitely by the investigating officer in a secure storage area, after a review of the case file by an officer of supervisory or command rank.
4. When it has been determined that a case file is no longer needed, and it is no longer necessary to store the file, it will be shredded pursuant to the provisions of the department's Records Retention Schedule and any governing statute(s).
5. When the Department receives an Order for Expungement from the Court, officers will be notified by the Administrative Support Personnel via email of the expungement. Any officer maintaining a case file concerning the arrest to which the Expungement Order pertains to will not disseminate any information contained within the file that is related to the defendant.
 - a. If the case file contains the names of multiple defendants and only one of them has obtained an Expungement Order, the officer maintaining the case file will ensure that the expunged arrest information is not disseminated.

III. CASE SCREENING SYSTEM

A. Criteria for Continuing and/or Suspending Investigative Efforts

1. The decision to continue or suspend investigative efforts will be made at the supervisory level, unless otherwise directed by a Bureau Commander or the Chief of Police.
2. Taking into account workload and resources, an officer investigating a case will pursue all leads and will ensure that their supervisor is kept updated and informed.
3. When all leads have been exhausted, an officer wishing to suspend investigative efforts will apprise their supervisor so that the case can be reviewed.
 - a. The GPD Investigative Section will maintain a close working relationship with MCP investigators and shall keep the GIS supervisor apprised of the progress of GPD

assigned cases.

4. The decision to continue or suspend investigative efforts will be based on the outcome of the review of the case file, which will take into account criteria that includes; at a minimum:
 - a. The thoroughness of the officer's investigation;
 - b. Lack of further leads;
 - c. Unavailability of investigative resources;
 - d. Insufficient degree of seriousness;
 - e. Uncooperative witnesses;
 - f. Solvability factors; and
 - g. Other relevant facts and circumstances.

B. Solvability Factors

1. The following are solvability factors that may be considered when deciding whether to initiate, continue or suspend investigative efforts:
 - a. Are there witnesses, and their level of credibility?
 - b. Can a suspect be identified?
 - c. Could a suspect be identified if seen again?
 - d. Is the suspect's address or probable location (i.e., home, work, places he/she frequents) known or can it be learned?
 - e. Was a tag number for the suspect's vehicle (or possible suspect vehicle) obtained?
 - f. Could the suspect's vehicle be identified if seen again?
 - g. Was any traceable property taken?
 - h. Is there any significant physical evidence available?
 - i. Is there a significant modus operandi present?
 - j. Was there extremely limited opportunity for someone to have committed the crime?
 - k. Is there reason to believe that the crime would arouse such

interest that public assistance would lead to its solution?

- l. Is there reason to believe that further follow-up investigation by the GPD officer will lead to the solution of the crime?
- m. Is further follow-up investigation by GPD beyond the realm of responsibilities and/or resources of GPD?