

2.01 FOLLOW-UP INVESTIGATIONS



FOLLOW-UP INVESTIGATIONS

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Chief Nathan C. Hagglund			

I. GENERAL CONSIDERATIONS AND GUIDELINES

Follow-up investigations are investigations into crimes beyond the preliminary investigation performed at the scene. Follow-up investigations are generally the responsibility of the department's Investigation Unit, however, patrol officers may conduct their own follow-up investigations for those less serious crimes that do not require the utilization of resources or expertise generally unavailable to patrol officers.

The success of the Investigation Unit depends in large measure on its ability to simultaneously investigate numerous cases of varying seriousness and complexity, and the success of an individual detective depends on his or her ability to manage his or her assigned cases. Due to factors such as the dissipation of physical evidence, the tendency of memories to fade, and the efforts of some subjects to falsify alibis, criminal investigations must be undertaken quickly during the initial stages.

On the other hand, some facets of an investigation are beyond the detective's control, such as laboratory analysis or the unavailability of a witness and may slow an investigation. For these reasons, detectives need a system that enables them to conduct investigations swiftly, while ensuring that older cases are being constantly reviewed and re-assessed. This policy is intended to provide the Investigation Unit with a system that will serve the department, the

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community, the victims of crime and the detectives, by providing organization and structure to the department's investigative function.

This policy contains general procedures to follow when conducting any follow-up investigation. Where a policy exists on responding to a specific crime, that policy should also be followed.

II. POLICY

The West Brookfield Police Department will conduct follow-up investigations in accordance with the criteria established in this policy.

III. DEFINITIONS

IV. PROCEDURES

GENERAL FOLLOW-UP INVESTIGATIONS INVOLVING PATROL DIVISION

In general, the responsibility for conducting follow-up investigations will be done by a Full Time Officer. However, members of the Part Time Patrol Division may be assigned some follow-up investigations. Cases involving specialized skills, knowledge or ability should be assigned to officers with the corresponding expertise.

When conducting investigations officers should review all department records pertaining to all suspects, victims and witnesses, to include those reports prepared during the preliminary investigation, as well as any results from laboratory investigations or evidence analysis. Officers should seek additional information from other officers or informants. Officers should arrange for the dissemination of information as appropriate, particularly where doing so may:

[42.2.2(A,B,C)]

1. Assist other officers in recognizing and apprehending a suspect;
2. Assist residents and merchants in protecting themselves;
3. Warn the public of a dangerous subject; or
4. Notify other law enforcement agencies about a series of crimes.

There are many different investigative tools available to officers conducting follow-up investigations depending on the needs for the

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particular case. The following procedures should be used whenever applicable to the case being investigated:

1. Officers may conduct background investigations and check suspects' criminal histories; **[42.2.2(J)]**
2. Officers may conduct additional interviews and/or interrogations; **[42.2.2(D,E)]**
3. Officers may determine the involvement of suspects in other crimes; **[42.2.2(I)]**
4. Officers may identify suspects via administrative subpoenas, search warrants or eyewitness identification (See policies on **Search Warrant Affidavits and Eyewitness Identification**); **[42.2.2(H)]**
5. Officers may conduct surveillance (See policy on **Surveillance and Undercover Operations**);
6. Officers may plan, organize and conduct searches for evidence (See policies on **Search Warrant Affidavits, Executing Search Warrants, and Collection of Evidence**); **[42.2.2(F,G)]**
7. Officers may apprehend suspects (See policy on **Arrest**); **[42.2.2(H)]**
8. Officers may prepare cases for court in a professional manner and assist in prosecution with the district attorney's office; **[42.2.2(K)]**
9. Officers may learn that a victim of a crime needs services, and they shall notify the appropriate people or agencies and assist the victim in obtaining those services (See policy on **Victim/Witness Assistance**).

RESPONSIBILITIES OF THE INVESTIGATION UNIT [42.1.4]

Generally, West Brookfield Police Officers will be assigned to:

1. Follow-up investigations of crimes initially investigated by part time patrol officers where the investigations require specialized training;
2. Follow-up investigations into major offenses, including but not limited to homicide, sexual assault, armed robbery, and breaking and entering;

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3. Investigations of ongoing criminal activity such as narcotics distribution;
4. Provide support services to the department's other sections in areas where the training or experience of officers with specialized training warrant it, including but not limited to photography, evidence collection, and interview and interrogation;
5. Serve as a liaison between the department and other investigative law enforcement agencies at the state and federal levels, and to the detective units of other municipal police department; and
6. Perform those duties as directed by the Chief of Police or their designee.

It shall be the responsibility of the Chief of Police, Lieutenant or their designee to determine:

1. How many officers are to be assigned to each investigation;
2. Who the primary investigator shall be;
3. How many hours are to be expended on each officers investigation; and

CRITERIA FOR ASSIGNING FOLLOW-UP INVESTIGATIONS [42.1.2]

Decisions regarding the need for a follow-up investigation should be made based on screening criteria that includes:

1. The nature and seriousness of the crime;
2. Solvability factors;
3. The crime's effect on the community; and
4. Availability of department resources;

If the Chief of Police, Lieutenant or designee, determines that the case will be investigated, then they will assign the appropriate officer to the case electronically once the preliminary report is complete. The case number, date assigned, and status will then be linked to the assigned officer. At the discretion of the Chief Of Police, Lieutenant or designee

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the officer originally assigned to the case may assist in the follow-up.

[42.1.3(a)]

Although many cases require the work of more than a single officer, one individual shall be assigned responsibility for each investigation.

This officer, hereinafter referred to as the “primary”, will be held personally accountable for the case.

Upon an investigation being assigned to an officer, the primary shall review all reports filed on the matter, departmental records, and laboratory results and enter information into the records management system as needed. Even if the primary is occupied on another urgent assignment, they must ensure that the report is reviewed so that aspects that require immediate action are not missed. Such aspects may include physical evidence that has not yet been seized or the likelihood that a suspect will flee or commit additional serious offenses.

Once the primary has reviewed the report and taken steps to address issues that need immediate attention, they should form a preliminary plan about how the initial stages of the investigation should proceed. Next, the primary should contact the victim of the crime, or in the case of a death investigation the next of kin. Contact should be made soon after the assignment of the case so that the victim does not lose confidence that the department will aggressively investigate the crime. During the initial contact with the victim, the primary shall:

1. Provide the victim with their name, telephone number and hours of duty.
2. Review the preliminary report with the victim to ensure that nothing of significance has been omitted and that no evidence has been overlooked.
3. Review with the victim investigative steps that the detective will undertake to solve the crime.
4. Maintain contact with the victim or next of kin throughout the investigation apprising them of major developments. Specifically, the primary shall notify the victim each time that the status of the investigation changes. If the receipt of new information results in the reopening of a suspended investigation, the officer reopening the case shall notify the victim.
5. The primary must stay in contact with witnesses during the investigation and shall notify them of all arrests or charges filed.

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Note: The departmental policies **Interviewing Victims and Witnesses** and **Interrogating Suspects** shall be followed. [42.2.3(b)]

If polygraph machines or other technical aids for the detection of deception are used in an investigation, only those individuals who are certified/qualified shall operate the detection device and administer examinations. If such an examiner is used a copy of their examiner's certificate shall be included with the case file. Qualified examiners may come from other federal, state, or local law enforcement agencies. [42.2.6]

CASE STATUS

During the investigation, officers should consult with their supervisor in advance regarding anticipated needs such as line-ups and search warrants as soon as they become aware that they may be needed. It shall be the responsibility of the supervisor to determine if additional resources shall be expended in the investigation of cases or if the investigation shall be suspended.

Officers should discuss any anticipated arrest before making it, provided that doing so would not jeopardize public safety or compromise the success of the investigation.

Each report shall conclude with a summary paragraph. In cases that are cleared, the summary paragraph will be followed by a list of charges filed against the subject by the officer. Lastly, the report will state the status of the investigation. The word "STATUS" will be typed at the bottom of each report followed by one of the case status categories defined below: [42.1.3(b)]

PENDING – the case is being actively investigated.

PENDING (REOPENED) – a previously cleared or suspended case has been reopened due to receipt of new information.

CLEARED – one or more subjects have been identified and charged in connection with the offense.

CLEARED (FUGITIVE) – the case has been cleared, but the subject has not been apprehended and is a fugitive.

SUSPENDED – all available leads were investigated, but the subject(s) responsible were not identified.

UNFOUNDED – the investigation determined that the crime did not occur.

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TRANSFERRED – responsibility for the case has been passed to another law enforcement agency and is no longer being investigated by the department, often due to jurisdictional issues.

CLOSED – a non-criminal assignment has been concluded. Examples might include a background investigation or an investigation into a non-criminal complaint.

Upon completing each report, detectives must forward it to the Investigations Commander or their designee. In their absence, the Shift Commander will review the report. Officers will submit their reports to the Shift Commander for review and approval. The primary detective will update the Detective Log of the outcome to the investigation.

If the reviewing supervisor finds the report to be acceptable, they will approve it. If the report needs to be corrected, the reviewing supervisor will mark the corrections and return it to the detective or officer. The detective or officer will make the required corrections and return it to the reviewing supervisor for final review and submission.

CASE FILE MANAGEMENT

Officers must maintain a case file for each investigation containing copies of all reports filed. All original reports prepared by members of the department will be maintained by the Administrative Assistant. Copies of reports prepared by other law enforcement agencies regarding the investigation should be maintained in the case file. **[42.1.3(c)]**

If an officer receives a document that has value as evidence, such as a written confession or a laboratory report, they shall scan an electronic copy into the attachment portion of the report. An officer may also choose to keep copies of evidentiary documents or material in their individual working case folder for ease of access. **[42.1.3(c)]**

Each officer's individual working case file will be maintained and secured in their file cabinet. Inactive case files shall be secured in the Departments filing system in file drawers by case number. **[42.1.3(d)(e)]**

CRITERIA FOR SUSPENDING INVESTIGATIVE EFFORTS [42.1.2]

When screening a case to determine if an investigative effort should continue or be suspended the following solvability factors should be evaluated:

1. The availability of further leads;
2. The availability of investigative resources;

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3. The productivity of interviews with victims/witnesses;
4. The physical evidence found at the scene of the crime/incident;
5. The exhaustion of all other information sources; and
6. The degree of seriousness of the crime.

Prior to suspending an ongoing investigation, the primary must obtain the approval of the Chief of Police, Lieutenant or designee. When an officer completes an investigation they should forward their results electronically through the departments records management system to the Chief of Police, Lieutenant or designee.

MAJOR CASE PROTOCOL

Occasionally, crimes occur that cannot be investigated by a single officer. This may occur when the crime is serious, such as in the case of a homicide or kidnapping, or when public attention generates so many leads that a team approach is warranted. For this reason, a Major Case Protocol is hereby established.

Although many officers may participate in the investigation, a primary will still be responsible for the case. The primary will receive copies of all reports concerning the case, and will confer with Chief of Police or in their absence the Lieutenant, daily.

Forms facilitating the passing of leads, called Lead Sheets, will be distributed at the outset of the investigation to the Lieutenants' Office. Any department employee who receives information about a major case shall fill out a Lead Sheet and forward it to the Lieutenant, who will assign the lead for investigation. The Lieutenant will keep track of all incoming Lead Sheets to ensure that every lead is addressed.

Any officer who receives a lead will investigate it forthwith, note the resolution of the lead on the Lead Sheet, and file a report. Lead Sheets and reports must be completed on all information received about the case, even if the lead is unfounded. All completed lead sheets will be returned to the Lieutenant who shall review them and forward them to the primary.

The primary shall maintain the major case file. This file should be divided into sub-files containing all returned lead sheets, copies of reports filed by members of the department, copies of reports about the investigation produced by other law enforcement agencies, documentation from laboratories, and any other information related to the case.

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