



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

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This General Order contains the following numbered sections:

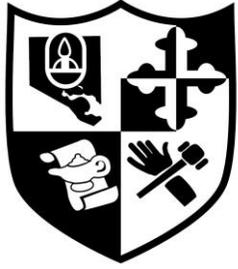
- I. Directive
- II. Purpose
- III. Criminal Investigation Procedures
- IV. Preliminary Investigations
- V. Follow-up Investigations
- VI. Case Screening
- VII. Case File Management
- VIII. Conducting Surveillance
- IX. Background Investigation
- X. Habitual/Serious Offenders
- XI. Use Polygraph Examinations
- XII. Investigative Task Forces
- XIII. On Call Schedule
- XIV. Effective Date

#### **I. DIRECTIVE**

It is the intent of the Baltimore City School Police Force (BCSPF) to utilize an appropriate level and balance of resources in the investigation of reported offenses thereby optimizing the benefit to be derived from the cooperative interaction of highly skilled generalist/specialist police officers and technical support staff. Cooperative investigative assistance is paramount to successful case investigation in conjunction with needed outreach and support to victims of crime.

#### **II. PURPOSE**

To redefine areas of responsibility for conducting follow-up criminal investigations and to recodify procedures for the coordination, directing, monitoring and evaluation of the overall investigative effort in keeping with the previously defined “Organizational Structure and Functional Responsibilities of Organizational Units.”



# BALTIMORE CITY PUBLIC SCHOOLS

**GENERAL ORDER 10-24  
SECTION G-1**

**CRIMINAL INVESTIGATIONS  
Revisions Approved: June 12, 2018**

---

### **III. CRIMINAL INVESTIGATION PROCEDURES**

#### **Patrol Responsibility**

School Police Officers will retain responsibility for preliminary and follow-up investigations of misdemeanors and certain felony crimes initiated by their preliminary reports, unless otherwise directed by a supervisor.

Field Operations Command's decision for patrol officers to continue an investigation should be based on these factors:

1. Nature of the offense
2. Investigating officer's schedule
3. Ability of the officer involved
4. Manpower requirements of the team.

### **IV. PRELIMINARY INVESTIGATIONS**

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 transfer of the investigative responsibility occurs.

#### **A. Steps**

Each criminal investigation must be conducted on a case-by-case basis, taking into account numerous factors with the following steps used as guidance through each investigation.

For those crimes/incidents where BCSPF patrol officers assume primary responsibility, the steps below should be followed when reasonably possible by the officers:

1. When approaching the scene, and after arrival, the officer should be alert and observe all conditions, events, and remarks.
2. After the officer has ensured that their safety is not in jeopardy, the officer should locate the victim/complainant (if still on the scene) to determine their welfare.
3. If a victim/complainant is on the scene, and is in need of immediate medical attention, the officer should provide first aid based on their medical skills and training, and



# BALTIMORE CITY

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# PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

- summon additional support and assistance as needed.
4. If a victim/complainant is on the scene, and is not in need of immediate medical attention, the officer should interview this person(s) to determine the nature and extent of the alleged crime and to gather suspect information.
  5. Depending on the nature and severity of the crime/incident, the investigating officer should attempt to locate, identify, and interview witnesses, and obtain additional corroboration when necessary.
  6. If the officer establishes that a crime has been committed and the perpetrator has left, the officer should secure the crime scene and any physical evidence as appropriate and needed.
  7. The officer may request the assistance of the Baltimore Police Department's crime lab, if necessary, to have evidence photographed or collected.
  8. If the suspect is still on the scene and a lawful arrest can be made by the officer, the arrest should be made before the suspect has an opportunity to cause injury or tamper with, dispose of, or destroy evidence.
  9. Officer shall complete the appropriate written crime/incident report.

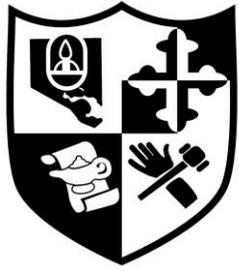
#### **B. Information Development**

When conducting preliminary and follow-up investigations, officers should treat each investigation confidentially and should refrain from discussing the details of the investigation or investigatory strategies with persons outside law enforcement.

To assist in preliminary and follow-up investigations, officers should utilize the following resources (where applicable):

1. NCIC & MILES
2. Maryland CJIS database
3. FBI record check
4. BCPD record check
5. Court records
6. Other records within the public domain, such as tax records, land records, gun permits, etc.

During investigations, officers should take complete notes and include them in a case file folder. Officers should document their investigation in periodic Supplement Reports (BPD Form 87/7).



# BALTIMORE CITY

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# PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

#### **C. Evidence Collection, Preservation, and Use of Physical Evidence**

Members will conduct simple collection of physical evidence that do not require special handling or crime scene processing. Officers shall comply with BCSPF's policies and procedures on evidence control. When needed, members may request the BPD crime lab unit to respond to crime scenes that require crime scene processing. In all cases, the chain of custody of evidence shall be clearly and completely documented in accordance with policy. The storage and preservation of evidence should be done by the BPD's Evidence Control Section (ECS).

#### **D. Interviews and Interrogations**

Interviews and interrogations should be conducted in strict compliance with applicable laws and will follow the procedures outlined.

If BPD investigators have been called to assist with an investigation, officers will not advise the suspect(s) of their Miranda rights nor initiate questioning about the offense for which suspect(s) was arrested/detained unless otherwise advised by an investigator.

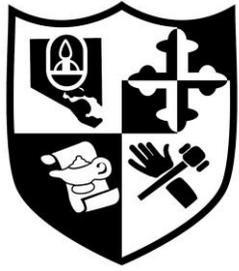
#### **E. Investigative Checklists**

The Incident Report in most cases should serve as a sufficient checklist for investigations. More complex investigations may require additional inquiry. To assist officers in these investigations, investigative checklists are provided for the following situations:

1. Death investigations
2. Sexual crimes
3. Robbery
4. Property crimes
5. Motor vehicle theft
6. Fraud

#### **V. FOLLOW-UP INVESTIGATIONS**

The follow-up investigation, if necessary, is an extension of the preliminary investigation, the purpose of which is to gather additional information which may lead to the arrest of an offender, recover stolen property, or enhance the case after an arrest has been made.



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

Patrol officers conducting a follow-up investigation of an incident for which they conducted the preliminary investigation should follow the below-listed basic steps when reasonably possible, depending upon the nature of the incident:

- A. When available and practical, officers should review and analyze all previous reports prepared during the course of the preliminary investigation (i.e., department files, Master Name Index, RCAS reports, case file, lab reports, etc.)
- B. Make a “second-contact” with the victim of other principals in the case for clarification and additional information.
- C. Conduct additional interviews and interrogations (as necessary, and in writing) to enhance case preparation and corroboration.
- D. Interview other officers and sources of information familiar with the case to attempt to identify possible suspect(s).
- E. Once a suspect is developed, verify whether the suspect has any open warrants or criminal history, etc., and attempt to determine if the suspect has been (or is currently) a suspect in other crimes.
- F. After a suspect has been identified and probable cause exists for the issuance of a charging document, apply for a warrant and arrange for the suspect to be served with it.
- G. If necessary, plan, organize, and conduct searched for the suspect or evidence, and arrange for the proper collection, processing, preservation, and storage of the evidence collected.
- H. Discuss the case with the State’s Attorney’s Office to ensure case integrity and enhancement, testify when needed in related court proceedings, and maintain all pertinent notes and information relating to the case in the case file (in a suggested chronological order).

If the BPD will conduct the follow-up investigation, the patrol officer will coordinate, cooperate, and communicate with the BPD officer.

### **VI. CASE SCREENING**

- A. A system of case screening based on solvability factors will be used to determine whether to continue an investigation. Command personnel will evaluate information collected in the preliminary investigation and consider the collective value of the solvability factors as a determinant in this decision-making.



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

The decision to conduct a follow-up investigation, the extent to which the case will be investigated, and the resources to be used will be controlled by command personnel. Criteria include:

1. Value of solvability factors
2. Seriousness of the offense
3. Officer/team workload
4. Experience of the primary investigator

#### **B. Solvability Factors**

The solvability, or likelihood of resolving the crime, is determined by a number of factors. The reporting officer shall make an initial assessment after considering the following factors:

1. Victim/witness credibility
2. Physical evidence
3. Suspect information
4. Temporal (time related) factors
5. Other relevant information

Based upon the above, the officer will indicate their determination of the solvability factor as “good, fair, poor, etc.”

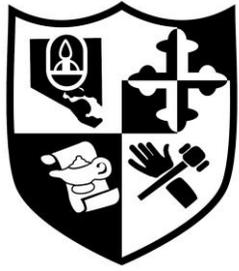
The supervisor approving the report must concur with the reporting officer’s solvability factor determination.

## **VII. CASE FILE MANAGEMENT**

Each investigation is assigned a status designation in order to assist with case management and control.

**A.** The reviewing supervisor shall designate the initial status of each reported case:

- OPEN means the case is active and requires further investigation.
- SUSPENDED means the case is still active, however all available leads have been exhausted.



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

CLOSED means that the case has been concluded satisfactorily

**B.** Cases are designated suspended when no further police action can be taken. Criteria for declaring an investigation suspended include:

1. Lack of further leads or solvability factors
2. Insufficient degree or severity of offense
3. Unavailability of investigative resources

Case files should be maintained in the main file room and should be accessible to the primary officer and/or the officer's supervisor.

**C.** Case files should contain a copy of the following:

1. Preliminary investigative reports
2. Records of statements
3. Results of examinations of physical-evidence
4. Case status reports
5. Photos
6. Other reports and records needed

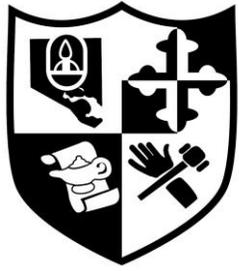
Cases that are either suspended or closed should be consolidated in the main file room for 3 years. After that date, the files should be stored in the central warehouse.

**D.** Case files shall be purged, along with the files in which this information is included, in the following circumstances:

1. Pursuant to a Court Ordered expungement, or
2. The investigation has been closed due to insufficient evidence or a lack of prosecutorial merit and the investigation will not be re-opened, as determined by the State's Attorney's Office.

### **VIII. CONDUCTING SURVEILLANCE**

Surveillance operations conducted by members should only be initiated with supervisory



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

approval. Operations requiring the use of surveillance equipment should be conducted in strict compliance with applicable laws and BCSPF procedures.

BCSPF members may coordinate, if necessary, surveillance operations with the appropriate outside agencies participating in the investigation.

#### **IX. BACKGROUND INVESTIGATIONS**

Prior to beginning a background investigation, its purpose shall be clearly defined and identified in order to guide the officer conducting the investigation.

Whenever appropriate, officers should conduct background investigations of their suspects (and if necessary, the victims and/or witnesses) in order to further develop either incriminating or exculpatory information.

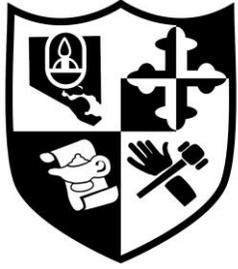
Prior to beginning a background investigation, the investigating officer should identify potential sources of information, and allow for the potential need for court orders to obtain data.

The background investigation and related records shall not be distributed, except on a need-to-know basis, to those law enforcement persons involved in that case.

Criminal History Record Information used for background investigation purposes will not be disseminated or released, pursuant to the provisions of the Maryland Code Annotated, Criminal Procedure Article, §10-219.

Background information shall be purged, along with the files in which this information is included, in the following circumstances:

1. Pursuant to court ordered expungement, or
2. The investigation has been closed due to insufficient evidence or a lack of prosecutorial merit and the investigation will not be re-opened, as determined by the State's Attorney's Office.



# BALTIMORE CITY PUBLIC SCHOOLS

## GENERAL ORDER 10-24 SECTION G-1

### CRIMINAL INVESTIGATIONS Revisions Approved: June 12, 2018

---

#### **X. HABITUAL/SERIOUS OFFENDERS**

- A. A habitual/serious offender is any person charged as an adult for an offense which is: A **crime of violence** (as defined in Maryland Code Annotated, Pub. Safety Art., § 5-101), or a **CDS offense**, (as defined in Maryland Code Annotated, Pub. Safety Art., § 5-101, *et seq.*) and has at least one **prior conviction for the same charge**.
- B. When a person is arrested is defined as a habitual/serious offender, the arresting officer shall:
  - i. Check records of suspect to determine if they qualify for prosecution as a habitual/serious offender, and
  - ii. Notify the State's Attorney responsible for prosecution of the offender, and
  - iii. Maintain contact and coordinate case with the State's Attorney.

#### **XI. USE OF POLYGRAPH EXAMINATIONS**

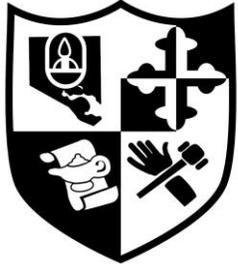
Officers should comply with the following guidelines when using polygraph examinations for criminal investigations:

- A. Officers desiring that a polygraph examination be administered pursuant to a criminal investigation must schedule the polygraph examination through the Administrative Commander.
- B. Only qualified examiners shall administer polygraph examinations.
- C. Polygraph examination results shall be given in accordance with the State Bureau of Investigation directives.

#### **XII. INVESTIGATIVE TASK FORCES**

Whenever a task force is created, a written agreement/memorandum should be prepared by a designated member of the BCSPF or by a member of the task force from an outside agency. The Chief of School Police, or their designee, shall be signatory to the agreement. The agreement/memorandum will govern the activities of the task force and should:

- A. Identify the purpose (including types of offenses to be targeted)
- B. Define the authority, responsibilities, and written agreements of the task force
- C. Establish accountability



# BALTIMORE CITY PUBLIC SCHOOLS

**GENERAL ORDER 10-24  
SECTION G-1**

**CRIMINAL INVESTIGATIONS  
Revisions Approved: June 12, 2018**

---

- D. Identify resources available
- E. Develop plans to evaluate results and determine continued necessity of the task force

Members of investigative task forces should periodically attend roll call and should exchange information with patrol officers on a regular basis.

**XIII. ON CALL SCHEDULE**

- A. Call-outs for major crimes will consist of members in the tactical section.
- B. A rotational call-out list should be maintained and amended as needed, and distributed to staff as well as the Communications Section of the BCSPF.
- C. Members on call will carry their Department issued radio.
- D. Members who are not on-call may be subject to call out for serious incidents requiring additional staff.

**XIV. EFFECTIVE DATE**

This Order shall be effective on the date of publication.

I certify that I have read and fully understand this Order.

Signature \_\_\_\_\_ Date \_\_\_\_\_