

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: December 17, 2020

HISTORY: December 16, 1998

SUBJECT: Investigations

POLICY NUMBER: 98-060

I. POLICY

All members of this department must clearly understand their responsibilities for the conduct of preliminary and follow-up criminal investigations and of complaints of major infractions of the law.

II. PROCEDURES

A. Preliminary Investigation

1. The preliminary investigation begins when the first law enforcement unit arrives at the scene of a crime, or telephonic information is taken by an officer concerning a crime and continues until postponement of the investigation or the transfer of responsibility will not jeopardize the successful completion of the investigation.
2. The following officer responsibilities are part of the preliminary investigation and will vary according to the type of crime being investigated and the circumstances associated with the crime scene:
 - a. Provide aid to the injured.
 - b. Protect the crime scene to ensure evidence is not lost or contaminated.
 - c. Determine if an offense has actually been committed, and, if so, the exact nature of the offense.
 - d. Determine the identity of the suspect or suspects and effect an arrest if it can be accomplished either at the scene or through immediate pursuit.
 - e. Furnish other field unit descriptions, method, and direction of flight of suspects, and other relevant information concerning wanted suspect or suspects or vehicles.
 - f. Obtain complete identification of all witnesses.
 - g. Determine what information is known by the victim and each witness.
 - h. Determine in detail the exact circumstances of the offense.
 - i. Arrange for the collection of evidence.
 - j. Obtain written and signed statements from victim(s), witnesses, and from the suspect(s).
 - k. Determine the necessity of some degree of follow up surveillance of the crime scene.
 - l. Accurately and completely record all pertinent information on the report forms.
3. The initial stages of all preliminary investigations, including crime scene processing, will be conducted by Patrol Officers. In certain serious crimes as defined in Paragraph b (1), a detective will be called to respond and assume responsibility for completion of the investigation.
4. As soon as the preliminary investigation is concluded by a Patrol Officer, the initial field report should be completed, including all information obtained at the scene of the offense.
5. It shall be the responsibility of the supervisor to ensure that an adequate and complete preliminary investigation has been made and to review, screen, and approve the officer's report. Screening should include review of facts stated to ensure all essential information indicating a criminal act are included, legibility, clarity, and completeness. In the case of those

offenses reported directly to and handled completely by a detective, the Chief of Police, or his/her designee, will review the report.

B. Serious Crimes – Detective Response

1. The following offenses are of a nature requiring the immediate assignment of a detective to assume responsibility for the completion of the preliminary investigation and to begin a follow-up investigation:
 - a. Death of a violent or suspicious nature.
 - b. Rapes or suspected rapes.
 - c. Assaults, serious injury or death to the victim.
 - d. Armed robberies of commercial institutions.
 - e. Burglaries where there is excessive or unusual loss (high dollar value, negotiables, cash, jewelry, silver, etc.).
 - f. Any major disaster where investigators can assist in identification of victims.
 - g. Hostage situations.
 - h. Kidnappings, extortion.
 - i. Bombings.
 - j. Any criminal offense or situation for which the on duty ranking officer/supervisor believes a detective should be immediately assigned.
2. A detective assigned to this agency and/or a state police criminal investigator will be available 24 hours a day and will be contacted and will conduct the investigation of offenses listed above.
3. In the event the detective on call is unavailable, the Chief of Police or his/her designee will be contacted immediately for further guidance.
4. If requested by the assigned detective, the dispatcher will direct available patrol personnel to assist with protection of crime scene, traffic, crowd control, witness canvass, etc.

C. Follow-up Investigation

1. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to provide additional investigation in order to effect the arrest of an offender and/or recover stolen property.
2. Detective or officer's responsibilities of the follow-up investigation include:
 - a. Identification and apprehension of the offender.
 - b. Collection/preservation of additional evidence and arrangements for the analysis and evaluation of the evidence. If evidence was sent to lab, on its return, review lab results.
 - c. Recovery of stolen property.
 - d. Conduct any additional interviews of victims and witnesses as required.
 - e. Conduct any additional interrogation of suspects as required.
 - f. Seek other information from law enforcement officers and informants.
 - g. Review department records and coordinate with adjoining agencies pertaining to other similar offenses to determine if other crimes may have been committed by the suspects. Review all information contained in case file (preliminary investigation and earlier follow-up reports) concerning this offense.
 - h. Recording of information obtained and preparing supplementary reports as required.
 - i. Give out information as appropriate.
 - j. If necessary, plan, organize and conduct searches.
 - k. Arrange for polygraph examinations through the Waukesha County Sheriff's Department.
 - l. Prepare case file folder on suspect for court.

- m. Check suspect's local police record and criminal histories.
 - n. Prepare case and assist in prosecution.
3. In assigning investigators for follow-up, the Chief of Police, or his/her designee, will normally consider the following guidelines:
- a. Patrol officers will conduct and complete the investigation of all non-criminal calls for police service and for misdemeanor or felony crimes not appropriate for referral to the detective bureau.
 - b. A detective will conduct the follow-up investigations when one or more of the following conditions exists:
 - 1. The offense appears to be part of a pattern of such offenses.
 - 2. When the follow-up is required in widely separated locations outside this jurisdiction.

D. Relationships with Prosecuting Attorney

- 1. The Waukesha County District Attorney's Office prosecutes criminal cases, both felony and misdemeanor, in each court and for each law enforcement agency within the jurisdiction. Because of a tremendous case load, all personnel are required to coordinate appointments in advance, be on time, have subject for discussion planned in advance and keep conversations brief.
- 2. In every known contested case, misdemeanor or felony, the officer involved will make an appointment with the District Attorney or one of his/her assistants to discuss the case prior to trial.
- 3. During any law enforcement investigation, or during prior planning for arrest or pretrial stages, any questions of law or criminal procedure will be addressed to the District Attorney or their assistant. Questions on law enforcement procedure will be addressed to the Chief of Police or his/her designee.
- 4. Any criminal cases referred to the District Attorney which result either in a decision of declined to prosecute or dismissed due to law enforcement mishandling must be carefully reviewed and appropriate corrective action taken. The District Attorney has been asked to call such cases to the attention of the Chief of Police.

E. Investigative Check Lists

- 1. Crime Check Lists contains questions which should be addressed during the course of any criminal investigation as well as specific questions relating to different types of crimes. These lists are not intended to be all-inclusive, but will serve as guides in doing actual investigations, preparing reports related thereto and in supervisory review of such reports.
- 2. General Investigative Questions
 - a. Who is involved?
 - b. Who is the victim?
 - c. Who is the suspect?
 - d. Who is a witness?
 - e. Who reported the case?
- 3. What happened?
 - a. What took place?
 - b. What offense was committed?
 - c. What are the elements of the offense?

4. What was the object of the attack?
5. When did it happen?
 - a. When in time did the occurrence take place?
 - b. At what hour?
 - c. On what day?
 - d. In what month?
 - e. In what year?
 - f. Was it day or night?
 - g. Was it clear or cloudy?
 - h. Was it foggy, misty, raining, smoggy, snowing, hailing, sleeting, etc.?
6. Where did it happen?
 - a. Where did the offense occur?
7. Where was the object of the offense?
8. Where is the object of the offense now?
9. Where was the object of the offense found?
10. Where was the perpetrator of the offense?
11. Where is the suspect now?
12. Where was the suspect when apprehended?
13. Over what area did the offense extend?
14. Where were the witnesses in relation to the crime scene?
15. Where are the witnesses now?
16. How did it happened?
 - a. How was the offense committed?
 - b. What preparation was made to commit the offense?
 - c. What was done to avoid detection?
 - d. How was the property or person attacked?
 - e. What method was used to induce the victim to give up his property?
 - f. What means were used to overcome resistance of the victim?
 - g. What means or instruments were used in the perpetration of the offense?
17. How did the offender act?
18. What did the victim do in response to the actions of the perpetrator?
19. How did the victim act?
20. What did the victim do in response to the actions of the perpetrator?
21. How did the situation assist in the commission of the offense?

22. How did the offender enter the crime scene?
 - a. What means were used?
 23. How did the offender leave the crime scene?
 - a. What means were used?
 24. Offenses Against Persons. (Robbery, assault, battery, murder, kidnapping, abduction, mayhem, sex offenses, extortion)
 - a. How did the perpetrator approach the victim?
 - b. What device, trick, ruse, method did the perpetrator use to gain access to the victim?
 - c. What did the perpetrator say?
 - d. What exact expressions were used?
 - e. What in detail did the perpetrator do?
 25. How did he act?
 26. What means did he use?
 27. What preceded the offense?
 28. What was the victim doing immediately preceding and at the time of the offense?
 29. Were there accomplices?
 - a. Complete personal descriptions
 - b. What did the accomplices do?
 - c. How did they participate in the crime?
 - d. What was said?
 - e. How many were there?
 - f. Did they arrive with the perpetrator?
 - g. Did they leave with the perpetrator?
 30. How did the perpetrator arrive and depart?
 31. What other facts surrounding the occurrence could be used to identify the perpetrator and accomplices?
- F. Offenses Against Property. (Burglary, theft, larceny, worthless checks, embezzlement, arson)
1. Burglary
 - a. Precisely what type of premises were entered?
 - b. Where was the point of entry?
 - c. Where was the point of departure?
 - d. What instruments were used to gain entry?
 - e. What was done by the investigator to preserve evidence of entry and exit?
 - f. What acts were committed by the perpetrator at the scene?
 - e. Where were occupants of the premises home? exact location
 - g. How did perpetrator arrive and depart?
 - h. Any facts or acts that can be used to identify the perpetrator?
 2. Theft, Larceny
 - a. From what place was property stolen?
 - b. Were there occupants on the premises?

- c. Where were they?
- d. What means were used to take the property?
- e. How did the victim discover the loss?
- f. What means were used to distract attention of victims or persons in the vicinity?
- g. How did perpetrator arrive and depart?

3. Worthless Checks

- a. How were checks written or otherwise prepared?
- b. What type of paper was used?
- c. How were checks returned?
 - 1. not sufficient funds (NFS)
 - 2. improper endorsement
 - 3. no such account
 - 4. forged
 - 5. fictitious
- d. What purpose was to be served by check?
- e. What claim was made by passer to establish authenticity of check?
- f. Was victim able to note description of check passer?
- g. What caused particular notice?
- h. What did passer say when presenting check to victim?
- i. What time of day was check passed?
- j. How did the check passer arrive and depart?
- k. Other pertinent facts?

4. Embezzlement

- a. What was the subject of the embezzlement?
- b. What was the value of the property?
- c. Who had ownership?
- d. Who had possession at the time of the conversion?
- e. Under what circumstances was the property received or held?
- f. How was the loss discovered?
- g. Where was the property recovered?
- h. Who had possession at the time of recovery?
- i. Questions under Worthless Checks, Theft or Larceny may be applicable to embezzlement

5. Arson

- a. How was the fire reported?
- b. Who reported the fire?
- c. When was the fire discovered?
- d. Who discovered the fire?
- e. Under what circumstances was the fire discovered?
- f. Where was the person who discovered the fire?
- g. How did the person happen to be there?
- h. What type of structure or property was set on fire?
- i. Was the building vacant?
- j. Was the building inhabited?
- k. Was a human being in the structure at the time of the fire?
- l. Would an ordinary person have reason to know or suspect the building was inhabited?
- m. Who occupies the building?
- n. What type of business is carried on in the building?
- o. Names, addresses, telephone numbers, descriptions of owners of business.

- p. How long has this business been at this location?
- q. Names, addresses, telephone numbers, business or occupation, descriptions of all occupants of the building.
- r. Who owns the building?
 - 1. name, address, age, description, when acquired building.
- s. How was the fire started?
- t. What materials, accelerants, and devices were used?
- u. What was the value of the property destroyed?
- v. What were the findings of the arson investigator, of the fire department, and other agencies?
- w. Was there a burning or charring as distinguished from mere scorching?
- x. What evidence (traces on clothing of suspect or clue materials at the scene) associated the suspect with the scene?
- y. What actions of the suspect offered evidence of criminal intent?

III. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict