I. GENERAL CONSIDERATIONS & GUIDELINES

The ultimate success or failure of police efforts in solving a case is often based upon the immediate response and preliminary investigation. This is generally the responsibility of Patrol Officers who are usually the first on scene of a reported crime. It is the Patrol Officer who will initially discover facts, locate and identify witnesses, and preserve evidence that is relied upon by investigators in the subsequent search for the suspect. The purpose of this policy is to provide guidance to those officers who conduct preliminary investigations.

I. POLICY

It is the policy of the Malden Police Department that:

A. Preliminary investigations should be conducted on incidents which violate the criminal code of the Commonwealth, Malden City By-Laws, or have the potential to result in a criminal or civil action; and

B. Officers understand and comply with the following procedures when conducting initial investigations of crimes.

II. PROCEDURES

A. Responding to a Crime Scene

1. Officers should not enter a crime scene unless:
   i. They are directed to receive permission to respond;
   ii. The crime occurs or is discovered within their assigned area of patrol; or
iii. It is their particular assignment to be generally responsible for conducting investigations.

2. All other Officers shall continue their assigned duties. However, they should be ready to assist in the apprehension of the suspect or to perform such other duties as directed.

3. Officers proceeding to a crime scene shall be vigilant and watchful in their approach for any signs of suspicious activity, especially for any evidence of a fleeing suspect, persons acting suspiciously or furtively in the vicinity, or objects being thrown from a vehicle leaving the scene. A threshold inquiry is justified when officers observe an individual fleeing from the scene of a crime.

4. Responding Officers shall record the registration plate and general description or any suspicious vehicles coming from the scene. They shall also record a description of the occupants, (if possible).

5. Officers proceeding to the scene shall be alert for any additional messages from Dispatch. The Dispatcher shall immediately furnish responding Officers with any supplementary information that would be of assistance or might indicate the possibility of a dangerous situation (e.g., Restraining Orders, LTC/FID, Domestic Violence History, Psychologically Impaired Person, etc).

B. Preliminary Investigation

1. Assignment of Investigating Officer 42.1.4
   i. The assigned Officer arriving at the scene of an incident will usually be responsible for initiating and conducting the preliminary investigation unless otherwise directed by a supervisor.
   ii. A Detective may relieve a Patrol Officer of the preliminary investigation if directed by a supervisor. The presence of a Detective at a crime scene does not in and of itself relieve the Patrol Officer of the responsibility to conduct the preliminary investigation.
   iii. When a crime scene or investigation is turned over to an Investigator, all information obtained up to that point, and the identity and location of any physical evidence discovered, shall be relayed to the Investigator.

2. Assessment 42.2.1(a)
   a. Upon arriving at the scene, the Officer shall make a quick assessment of the situation and report the following to Dispatch:
      i. Assessment of anyone injured, providing or summonsing appropriate aid;
      ii. The nature of the crime committed;
      iii. Description of the offender, direction of flight and whether the offender is, or may be armed & dangerous;
      iv. A description of any vehicle used by the offender and of any occupants in the vehicle;
      v. A description of any weapons used during the crime;
vi. A description of any property stolen and whether it may be in the possession of the offender;

vii. Any additional information that may lead to apprehension;

viii. The need for additional assistance from responding Officers, Investigators or other agencies/special services (e.g., Fire Department, EMT’s, State Police, FBI, etc.).

3. Arresting the Perpetrator

a. If the perpetrator is at the scene, the crime is an arrestable offense, and probable cause to arrest exists, the Officer may make an arrest. In determining if an arrest is appropriate, the Officers should consider:

i. The nature of the crime and age of the suspect;

ii. The suspect’s propensity to violence and criminal history;

iii. The suspect’s likelihood to default; and

iv. The need for further investigation.

b. A decision to leave the scene to pursue a suspect shall be made based upon the following factors:

i. The likelihood that apprehension can be made;

ii. The physical condition of the victim(s) and the need to protect them from another attack;

iii. The potential danger to the public if the perpetrator is allowed to escape;

iv. The nature, time, and place of the crime committed;

v. The lapse of time between the crime and the arrival of police;

vi. Whether the suspect is known or a good description is available;

vii. The availability of other Officers to conduct the pursuit and to apprehend the offender.

4. Preserving Evidence 42.2.1(c), (d)

a. A critical task for the first Officers at the scene is to protect the crime scene for the preservation of evidence. See department policy on Collection and Preservation of Evidence.

b. The crime scene shall be maintained in the same manner as it was left by the suspect, (as far as possible).

i. Clear the largest area possible. The size of the scene area can be adjusted by Investigators.

ii. Secure and isolate the actual crime scene.

iii. Secure a larger area for police personnel conducting the investigation.

iv. If appropriate, begin a “Crime Scene Sign-in Sheet,” recording the name, agency, date and time of all persons entering the inner crime scene. This generally applies to criminal investigations of active crime scenes that have been secured and are awaiting assistance from other resources and/or
agencies. Original sheet shall be entered into evidence, and a copy scanned into the QED report.

c. Witnesses and other persons connected with the crime and persons associated with the property or premises involved in the crime shall be told to remain present and available for questioning but shall be removed from the actual crime area.

d. Officers shall look for any item of evidentiary value. This includes but is not limited to the following:

   i. Weapons, shell casings, tools, clothing, glass, stains, footprints, fingerprints, tool impressions, tire markings, etc.;
   ii. Ordinary objects found in unexpected or unusual locations or objects having individual peculiarities or markings;
   iii. Uncommon objects not generally found at the location of the particular crime; and
   iv. Bits and pieces of evidence which may be of importance individually, but when taken together can be of significant.

e. The location of physical evidence shall be noted, but the evidence itself shall not be moved or touched if investigators are responding to the scene to remove it. If evidence is to be recovered by Officers at the scene, or if it is absolutely necessary to ensure preservation of evidence, or a safety concern, follow these procedures:

   41.4.1(d)

   i. Photograph the item prior to moving it, if possible.
   ii. Carefully note its location and position at the scene.
   iii. Handle the item using gloves and in such a manner as to prevent any alteration of its condition or the accidental impression of fingerprints.
   iv. For further information, see the department policy on Collection and Preservation of Evidence.

5. Interviewing Complainant, Witnesses and Suspects 42.2.1(e), (f), (g)

   a. The purpose of a preliminary interview is to obtain as much basic information as quickly as possible in order to identify the suspect and to establish the basis for the follow-up investigation.

   b. Officers shall attempt to locate, identify and interview reliable witnesses. 42.2.1(b)

   i. Obtain the name, date of birth, address and telephone number of witnesses.
   ii. Separate witnesses to prevent them from discussing what occurred among themselves before they are interviewed.

   c. Conducting Interviews 42.2.1(e), (f)

   i. Interview each witness separately in a quiet area, (if possible).
ii. The Officer may ask each witness to write out a voluntary statement which describes what occurred.

iii. When interviewing suspects, be mindful of any obligations to provide the suspect with Miranda Warnings or record the interview. For further information, see the department policy on Interrogating Suspects & Arrestees. 42.2.1(g)

iv. Provide information about victim and witness assistance, including what to do if the suspect or suspect’s companions threaten or otherwise intimidate the victim or witness. See department policy on Victim/Witness Assistance

6. Report Writing

a. The Officer conducting a preliminary investigation shall make an accurate and complete written report of the incident in accordance with departmental procedures.

b. Use a department investigative case report or other form if appropriate. 42.2.3

c. An Officer making a preliminary investigation should, if appropriate make a written record of the following data:

i. Date and time of arrival at scene;

ii. Weather conditions and visibility, including the location and distance from the nearest street light or artificial lighting and whether the lights were on;

iii. Approximate time of commission of the crime and by whom it was discovered;

iv. Identity of other Police Officers present;

v. All necessary information concerning any physical evidence discovered;

vi. Name, date of birth, social security number, address and telephone number of victims and witnesses;

vii. The identity or the best available description of the suspect(s) or vehicles used by suspect(s), particularly noting any unusual characteristics;

viii. Any information relating to others assisting at the scene including:

1. The name/agency of any photographer who took pictures;

2. The name and address of any individual turning evidence over to the police; and

ix. Measurements made at the scene and a rough crime scene sketch, (if appropriate, usually involves an outside agency);

x. The time and location of any interviews of the victim or witnesses and a brief statement as to what they heard or observed; and

xi. Any other information that the Officer believes may be useful for the apprehension of the criminal suspect and his/her subsequent prosecution.
Malden Police Department Crime Sign-in-Sheet

Date: __________________                  Location: __________________________________

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