

HOMICIDE UNIT GUIDELINES

(Revised 8/13/19)



Homicide Unit Guidelines

HOMICIDE UNIT MISSION

The Homicide Unit is responsible for conducting thorough investigations on all homicides, officer-involved shootings, suspicious deaths, child deaths, and officer-involved incidents resulting in death. Detectives assigned to a case will investigate all possible leads with the goal of presenting the case to the District Attorney for prosecution or review for criminal negligence.

The success of an investigation is largely dependent on the initial response by Patrol, and the initial investigation done by responding Homicide Detectives.

In September 2013, the Bureau of Justice Assistance U.S. Department of Justice published Homicide Process Mapping - Best Practices for Increasing Homicide Clearances. This document serves as a guide for successful homicide investigations and the following quote underscores the importance of the “First 48 Hours”.

“Beyond the techniques and resources used in a homicide investigation, it has been learned that a fast, effective response to a homicide call can play a significant role in the success of an investigation—particularly in the first 48 hours after the police are notified of a homicide.”

SCHEDULE

1. Daily schedules may vary, according to personal preference, as long as the needs of the Unit can be met. Rank seniority will be the deciding factor in the event of a conflict of choice. Unless otherwise approved by a supervisor, a regular daily work schedule shall be observed. If an investigator varies from the assigned schedule, the Unit Commander shall be advised. If an investigator calls in sick, or needs to use emergency time-off of any variety, the investigator’s supervisor, or the Unit Commander, will be advised.
2. Midday workouts are acceptable, providing the workout time is in addition to the investigator’s 10 ½ hour day. Currently, the Homicide

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Unit is assigned to a 10 ½ hour shift. The lunch hour shall be restricted to a half hour.

3. T.O. requests shall be channeled through the Lieutenant, and posted on the Homicide Unit Outlook calendar. The calendar will list all planned vacation, training, and sick leave. Minimum staffing for the Unit will be two investigators. The Unit Commander must clear any exception to this rule.
4. Officers responding to the field will note on the status board their estimated time of return. If the officers anticipate being gone longer than two hours, they should apprise their supervisor of their itinerary. If their supervisor is unavailable, the officers will clear their activity through another Unit supervisor. Vacation or time off return dates will be noted on the status board.
5. Unless prior arrangements with a supervisor have been made, all officers are expected to complete their 10 ½ hour shift before leaving the office and/or field.
6. Investigators will advise the Lieutenant if the investigator needs to travel out of jurisdiction for any follow-up. The appropriate agency will also be notified.

OVERTIME

1. A supervisor must approve any preplanned overtime to be worked. In the event an investigator's accumulated comp time exceeds 240 hours, the Unit Commander will be notified, and a reduction plan should be formulated. All Unit members will abide by the current Memorandum of Agreement and comply with overtime reduction as specified in MOA, Section 13.6.5.
2. The Unit Commander must authorize any paid overtime in excess of the amount authorized for BOI personnel. To maximize the Unit's funding, members should only utilize the Homicide VIS Code for overtime worked on Homicide-related functions. To this end, a Unit member working other Department overtime assignments must obtain the VIS Code from which the funds will be derived, and include the number on the applicable timesheet.

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UNIT MEETINGS

1. Unit meetings are an essential vehicle for the exchange of vital criminal intelligence and administrative information. Unit meetings are held “as needed” to disseminate administrative information and to conduct “roundtable” discussions. It is the supervisor’s responsibility to ensure investigators attend. Unit members must be prepared to discuss current cases.
2. If an investigator absolutely cannot attend a meeting, his/her supervisor must be apprised. Weekly schedules must be arranged to accommodate Unit meetings. Supervisors must advise any absent team member of the content of any missed meeting.

ON-CALL PROCEDURES

1. On-call assignments will run from Tuesday at 0800 hours until the following Tuesday at 0800 hours. On-call rotation will consist of an Investigative Team and a Crime Scene Team. Cases will be assigned to the specified teams.
2. On-call personnel will be available for and respond to all homicides, officer-involved shootings, child deaths, suspicious deaths, officer-involved incidents resulting in death, and all other cases deemed appropriate by the Unit Commander.
3. On-call personnel will provide assistance to outside jurisdictions and conduct administrative tasks such as report releases and responding to phone inquiries.
4. On-call compensation will be paid in accordance with MOA, Section 15.3.
5. At the Unit Commander’s discretion, the on-call team may be supplemented or removed from the continuing active rotation, due to case demands or other extenuating circumstances.

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6. The on-call team is expected to fully investigate an assigned case, understanding the investigation done during the first 48 hours of a homicide may have a major impact on the solvability of the case.

BACKUP ON-CALL PROCEDURES

1. The backup on-call team will run from Tuesday at 0800 hours until the following Tuesday at 0800 hours.
2. The backup on-call team will be available as soon as the on-call team is assigned a case and will remain on call for the next 48 hours, unless the original on-call team is able resume their on-call responsibilities sooner.

CASE MANAGEMENT

1. The Senior Office Specialist will gather the necessary information to complete a Homicide synopsis for new cases, which they will enter into a log. The Senior Office Specialist will forward the original to the Crime Analysis Unit for reporting to DOJ.
2. When a case is closed, the assigned investigator will either update the Clearance Block in Versadex or notify the Senior Office Specialist of the change in status.
3. Investigators will ensure that the Unit's filing system is locked up at night.
4. No original case reports, tapes, or photographs, shall be removed from the Homicide Unit without the Unit Commander's authorization.
5. All available reports will be turned over to the D.A. for review within 30 days of filing, whenever possible, even when an affidavit of facts is utilized. A list of significant uncompleted reports will also be provided to the D.A.
6. Investigators should update the chronological log in the case file with all pertinent details.

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OFFICER-INVOLVED INCIDENTS

1. The Homicide and Crime Scene Units will respond to the scene of, and assume investigative responsibility for, all officer-involved shootings in which a firearm is intentionally discharged at a person, and all officer-involved incidents resulting in the death of a suspect.
2. The investigation will be handled in a manner consistent with Department policy, and will follow the protocol established by the Santa Clara County Police Chief's Association Officer-Involved Incident Guidelines.
3. Representatives from the Santa Clara County District Attorney's Office, Internal Affairs, the City Attorney's office, the Police Officers' Association, and the Office of the Independent Police Auditor will be notified as soon as possible after an officer-involved incident occurs. Those notifications will be made by SJPD Communications.
4. Upon arrival at the scene, Homicide investigators will assume command of the criminal investigation.
5. Involved officers will be separated and transported to the Police Administration Building and will then remain in the presence of a Sergeant at all times.
6. Involved officers will be separated to protect the integrity of the investigation. The Homicide Commander will respond to PAB to coordinate the involved officers' room assignments and ensure that the integrity of the investigation is maintained.

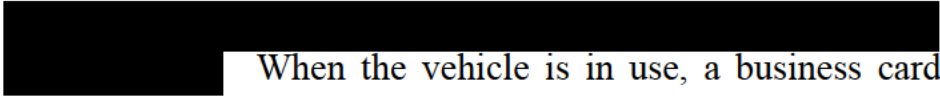
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7. A Crime Scene officer will respond directly to the Police Administration Building to photograph the involved officers and to collect relevant evidence including the officer's duty weapon, duty belt, body worn camera, and related safety equipment. All injuries will be thoroughly documented.
8. The Unit Commander will prepare a presentation for review by Command Staff members and others inside and outside the Department. Investigators will prepare a more detailed presentation for review by the District Attorney's Office.

EQUIPMENT

1. Vehicles

- Vehicles will be shared by investigators who will be responsible to keep the vehicle clean and maintained in good condition.
-  When the vehicle is in use, a business card will replace the keys on the hook until they are returned. Investigators are responsible for returning the keys to the appropriate hook when the vehicle is returned, or by the end of shift.
- Other than for the primary and backup on-call teams, vehicles or keys will not be taken home without prior approval of a supervisor.
- When a vehicle assigned to the Homicide Unit is loaned to another Unit, it must be approved by a supervisor. While the vehicle is out on loan, a note indicating the Unit and the borrowing officer's name and badge number shall be hung on the keys' hook.
- The Crime Scene Unit Sergeant will be responsible for the Crime Scene Unit's vehicles. A Homicide Sergeant will be responsible for Homicide vehicles.

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2. Cellular phones
 - Cellular phones are assigned through the Research and Development Unit per Department policy. Cellular Phones will be used for business purposes only.

3. Field Equipment
 - It will be the responsibility of each Unit member (other than members of the Exempt Officer Program) to maintain a complete uniform and all equipment. This equipment will be available to the member in the event the Department should go on a tactical alert status. Each supervisor will ensure that members have the proper equipment in serviceable condition and will inspect this equipment periodically. This equipment as listed in the Duty Manual will include riot baton, helmet, face shield, gas mask, and protective body armor.

EVIDENCE

1. The investigator will ensure that the TER form is completed when receiving property to be evaluated by the Homicide Crime Scene Unit. The evidence will be placed in the proper locker or in the CSU Technical Evidence Room. Notification of the location of such evidence shall be sent to the primary CSU investigator. When the CSU has completed its collection and evaluation, the submitting investigator will be notified.

2. Under no circumstances will evidence be stored in locked desks or case files. Weapons and currency will be immediately photographed, logged and booked as evidence. Copies of document evidence may be retained in the case file. Any original document must be booked as evidence.

3. The Crime Scene Unit will have the primary responsibility for prioritizing the testing and analyzing of physical evidence with the Crime Lab, after first conferring with the investigators. Chain of custody issues will be addressed through proper documentation in evidence logs.

MISCELLANEOUS

1. Dress Standards

- At all times, an Investigator shall maintain a neat and orderly appearance.
- Standard business attire for a male investigator shall be a suit or sport coat and tie.
- A female investigator will maintain comparable standard of business attire.

2. Press Releases

- All press releases shall be approved by the Unit Commander prior to release.
- An investigator may be requested to draft a press release regarding his/her assigned case(s). A supervisor may provide technical assistance and direction.
- In the absence of the Unit Commander, a Unit supervisor may review and approve the press release. The supervisor will check with the SJPB Press Relations Officer and a BOI Captain prior to issuance of the release.
- A copy of any press release shall be distributed to the following persons:
 - Homicide Unit Commander.
 - BOI Deputy Chief.
 - BOI Captains.
 - SJPB Press Relations Officer.
 - Case file.

NIGHT DETECTIVES

1. Night Detectives will make every effort to respond to all major cases generated by Patrol to provide investigative direction. If, due to competing events of a serious nature, the Night Detectives are unable to respond to a scene, they will provide investigative direction via cell phone or Radio to field officers/supervisors.

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2. Night Detectives will notify the on-call investigators of the appropriate investigative unit, to debrief the on-call investigator, and to receive specific investigative instructions. Night Detectives will complete a supplemental report via Versadex when appropriate.
3. Night Detectives will complete a Night Detective Activity Sheet listing their participation and notification process in major cases.
4. Night Detectives will attend 3rd watch briefings when possible to disseminate information and to field questions on major investigations.

CRIME SCENE UNIT

1. The Crime Scene Unit officers will thoroughly, systematically, and according to accepted industry standards, identify, photograph, collect, record, and preserve relevant physical evidence associated with a criminal investigation.
2. Crime Scene officers will transport, process, and prioritize physical evidence for Crime Lab analysis.
3. Crime Scene officers will present case evidence to the investigative officers, making copies for the case file where appropriate, and indicate suggested crime lab processing and expected benefits.
4. Crime Scene officers will confer with Crime Lab personnel whenever questions regarding the best method for processing evidence arise. Whenever evidence is submitted to the Crime Lab for analysis Crime Scene officers will monitor timelines for completion and will keep the case investigators fully aware of test status and results.
5. Evidence entered by other BOI Units in the TER (Technical Evidence Room) will be properly logged, processed, and returned within 3 days. A supplemental report documenting the processing and the chain of custody will be completed.
6. All crime scene reports will be completed within 10 days of the incident, unless an exceptional circumstance arises (i.e., multiple cases,

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court, etc.). All extensions require the approval of the Crime Scene Sergeant and the Unit Commander.

7. Crime Scene investigators should attend regular training classes in order to stay current on case law, statutory changes, investigative techniques, current technology, current crime trends, and other matters pertinent to their assignment.