

SAN DIEGO COUNTY

# SHERIFF'S DEPARTMENT



**DETECTIVES**  
PROCEDURAL MANUAL

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DATE	SECTION	NUMBER
August 30, 2021	INTRODUCTION	A.1

**SUBJECT:**

## INTRODUCTION

### AREA INVESTIGATOR DEPUTY SHERIFF

#### Expectations:

Area Investigator Deputy Sheriffs play a critical role in gathering, interpreting, facilitating and acting on crime related **information and/or intelligence** within their affected jurisdictions.

*"Criminal information" includes facts, materials, photographs, and data reasonably related to the investigation or prosecution of criminal activity.*

*"Criminal intelligence" is defined as data which has been evaluated to determine that it is relevant to the identification of the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity (28 CFR Part 23).*

In direct partnership with patrol/court/detentions deputies, crime/intelligence analysts, ancillary support units, and outside agencies, the Area Investigator Deputy Sheriff shall be fully engaged in identifying crime trends, criminal associations, and/or any relevant information leading to a workable solution to targeted criminal activity within the station's/unit's jurisdiction.

The Area Investigator Deputy Sheriff will utilize any/all appropriate law enforcement resources to target and apprehend prolific offenders and dangerous criminals. It is an expectation Area Investigator Deputy Sheriff's will scrutinize and interpret statistical data of crime hotspots; create problem and/or subject profiles; and examine situation reports, link analysis charts, frequent pawner reports, and/or intelligence briefing sheets for use in current and/or future investigations.

The Area Investigator Deputy Sheriff shall take a pro-active and comprehensive approach to investigations by regularly and strategically gathering information from arrestees (i.e. criminal associations, related crimes, criminal motivation, criminal sources) when possible.

Interviews/interrogations of suspects/arrestees shall encompass not only the crime being addressed but also any/all related crimes, associates, facts and circumstances related to crime trends in and around the affected jurisdiction. This approach will ensure not only the initial crime is addressed but also ensure effective information is continuously banked for future use. Viable informant candidates will be cultivated, de-conflicted and utilized as directed by the Sheriff's SID/NGD Manual Section 2.8.

The Area Investigator Deputy Sheriff will actively collaborate with adjacent local agencies, state and federal agencies and state and federal prosecutors to ensure overlapping and appropriate actionable information sharing is occurring amongst the multiple jurisdictions and disciplines in accordance with state and federal law.

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Information/Intelligence collection, dissemination, verification and analysis are all continuous processes requiring constant communication and evaluation. Multi-Agency information sharing, and collaborative enforcement action is critical when addressing pervasive multi-jurisdictional crime trends and when targeting prolific offenders.

Area Investigator Deputy Sheriffs shall be fully immersed in station level IMPACT processes and meetings. Actionable information will be vetted and disseminated through current IMPACT and Information Led Policing practices, ensuring continuous targeted enforcement action. The Area Investigator Deputy Sheriff will ensure the sustainability of operations, strategies and tactics through continuous assessment and analysis. Investigative processes and operations require constant evaluation and adjustment to ensure they remain dynamic and viable.

The Area Investigator Deputy Sheriff plays a critical role in reacting to crime and proactively targeting of prolific offenders. They are the conduit between patrol operations, the District Attorney's Office, the station command staff, outside agencies and the community.

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DATE	SECTION	NUMBER
Jan. 27, 2006	ADMINISTRATION	B.1

**SUBJECT:**

AREA INVESTIGATORS MANUAL

B.1.1 Statement of Purpose and Intent

The Area Investigator's Manual of Operations is exemplary of the established and accepted investigative guidelines utilized by all area detective personnel during the performance of their respective duties.

It is not intended nor designed to pre-empt or subvert the Department Policy and Procedures Manual, and in every event wherein an unforeseen conflict does exist, the latter shall prevail.

The manual is to be revised and updated when needed by the Area Investigators Supervisors Committee to reflect the operational changes necessary to meet the new task requirements.

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DATE	SECTION	NUMBER
Jan. 27, 2006	ADMINISTRATION	B.2

**SUBJECT:**

DETECTIVE COMMAND STRUCTURE

**B.2.1** Chain of Command

The chain of command for station investigative units shall be as follows:

- A. Commander, Law Enforcement Operations Bureau
- B. Captain, Station Commander
- C. Lieutenant, Station Lieutenant
- D. Sergeant, Station Detective Sergeant

Note: The above structure will vary depending on the size / designation of individual facilities, i.e. resident assignments, substations, etc.

**B.2.2** Departmental Liaison with Criminal Justice Agencies

It is paramount that the Department maintains a daily cohesive working relationship with various components of the Criminal Justice System. It is the responsibility of the Station Detective Sergeant or designated person to make daily contact with the local District Attorney's Office and the courts in order to assure coordination and a smooth flow of information. Periodically, a situation may occur that requires immediate attention reference liaison between the Department and other Law Enforcement Agencies, such as Probation, Parole, or Adult and Juvenile Correctional Agencies. It will be the Station Detective Sergeant's, or their designee's responsibility to structure this liaison in a manner conducive to achieve of our respective goals.



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DATE	SECTION	NUMBER
Oct. 27, 2016	ADMINISTRATION	B.3

**SUBJECT:**

PERSONNEL DUTIES

**B.3.1 Detective Sergeant**

The selection process for each Station Detective Sergeant will be accomplished in accordance with Sheriff's Department Policy and Procedure [Section 3.19](#).

The Detective Sergeant shall be responsible for the daily operations of the investigative unit. The Detective Sergeant's duties shall include, but are not limited to the following:

- A. Provide necessary daily supervision of all personnel (including professional staff) assigned to the Detective Unit.
- B. The daily assignment of case investigations to all individual investigators after review, evaluation and designation as workable or non-workable cases. Only one detective will have primary case responsibility.
- D. Assure the procurement, receipt, control and inventory of all investigative equipment and supplies.
- E. The performance of other collateral duties as directed.

Note: Responsibilities and duties may vary depending on the size/designation of individual facilities.

**B.3.2 Detective Personnel**

The selection of personnel will be in accordance with Sheriff's Department Policy and Procedure Section 3.19. Each detective assigned shall be responsible to the Detective Sergeant for his/her daily performance of investigative activities. Within the unit there may be "specialized" investigative positions; however, the majority of the positions are referred to as area detectives. Each function will be addressed separately so a clear understanding of each will prevail.

**A. Area Detective**

- 1. Area Detectives are responsible for working general crime cases against persons and property. Included are other non-criminal cases, such as lost/found property, missing persons, etc., which also will be handled by the Area Detective. Certain crimes, such as murder, fraud and arson, will be handled by the appropriate specialized investigative unit.
- 2. Duties shall include but are not limited to the following:
  - a. Receipt, review and documentation of all cases received.
  - b. Maintenance of clear/concise assignment data which shall be up-to-

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date and available at all times.

- c. Timely follow-up investigation of each case assigned as workable.
- d. Timely submission of all required/requested reports, forms, miscellaneous documents and/or completed staff work.
- e. Timely provision of all pertinent information affecting the unit, station or department.
- f. Play a critical role in gathering, interpreting, facilitating and acting on crime related information/intelligence within their affected jurisdictions.
- g. Utilize team and collaborative approaches to identify crime issues through a combination of Crime Analysis technologies and area specific requests. Work together and share information to identify possible relationships between crimes and suspects.
- h. Solve crimes through an understanding of the Information Led Policing (ILP) model.
- i. Ensure appropriate information is disseminated through current IMPACT and Information Led Policing practices.
- j. Ability to utilize properly and successfully all the available investigation aids, such as the CLETS, ARJIS systems, station/records files, DMV records, etc. Conduct follow-up on possible existence of warrants on suspects and acquaintances on cases submitted to the District Attorney's office.
- k. Ensure the cleanliness, proper maintenance and working order of all issued investigative equipment and devices.
- l. The apprehension, interview and incarceration of criminal suspects for successful prosecution. When possible, interview arrests by patrol to gather information and leads related to other criminal activity.
- m. Provide assistance to the District Attorney in case preparation and presentation.
- n. Provide patrol personnel with knowledgeable advice, assistance and on-site crime scene investigation.
- o. Maintain public service posture for victim referral to other services, i.e., Crime Prevention, Juvenile Diversion, etc.
- p. The performance of any other collateral duty as directed/requested.
- q. When practical, attend patrol briefings in order to share information on wanted subjects or vehicles, provide status of cases, and answer patrol questions.

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### B. Auto Theft Detective

1. The Auto Theft detective is responsible for the receipt, review, documentation and follow-up investigations, if necessary, on all vehicle thefts, embezzlements, and recoveries. In non-contract areas, the Auto Theft detective is also responsible for the review of all impounds and stored vehicles. Much of this specialized investigation is mandated by State law and, therefore, the assigned detective must possess substantial expertise in this function.
2. The Auto Theft Detective shall be qualified to perform the functions of an Area Detective and from time-to-time may be assigned general crime cases.
3. Duties shall include but are not limited to the following:
  - a. Maintaining concise, up-to-date records on all vehicles stored or impounded in non-contract areas.
  - b. Making proper notification to all registered owners of record on all vehicles stored or impounded in non-contract areas.
  - c. Conducting verification of VIN's on all vehicles subject to registration by Department of Motor Vehicles.
  - d. Receiving, documenting and investigating via forensic means all devices subject to registration, so that the lawful identification numbers can be restored and recorded.
  - e. Maintain close liaison with all tow companies and wrecking yards to facilitate the recovery of stolen vehicles and parts.
  - f. Provide expertise for patrol personnel who seek assistance or knowledge in identifying suspect vehicles, parts and accessories.
  - g. Continually seek new information, methods and training so as to remain current with auto theft activities and criminal behavior.
  - h. The performance of any other collateral duty as directed and requested.

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DATE	SECTION	NUMBER
Sep. 20, 2019	ADMINISTRATION	B.4

**SUBJECT:**

TRAINING

**B.4.1 Training Requirements for Area Investigators**

Recognizing that the position of area investigator requires basic education and training, the following guidelines shall apply:

- A. Each newly assigned area investigator shall receive supervised on-the-job training as directed by the unit training officer under the direction of the supervisor.
- B. The following subject matter will be discussed (each area is followed by the applicable Detective Manual Section):
  - 1. Command Structure - B.2
  - 2. General Duties - B.3
  - 3. Detective Equipment - C.1
  - 4. Case Classification - D.1
  - 5. Case Management/Distribution - D.2
  - 6. Informants - SID/NGD Manual Section 2.8
  - 7. Investigative Resources - E.3
  - 8. Crime Lab - E.4
  - 9. Detective Forms - F.1
  - 10. Standardized Follow-up Format - F.3
  - 11. Arrest/Search Warrants - G.2
  - 12. Photo Line-ups - G.5
  - 13. Surveillance Procedures - G.6
  - 14. Raids - G.7
  - 15. Telephonic Warrants - G.4
  - 16. Teletypes - G.8

Other subject matter (i.e. case issuance with D.A., ARJIS/CLETS/SUN compute systems, local "players" and trouble spots, etc.) may be covered at the discretion of the unit supervisor.

- C. The unit supervisor will be responsible for providing each new detective with a copy of the Detective Manual. Each detective is responsible for familiarizing himself/herself with its contents and maintaining it with updated revisions.
- D. Each area investigator will be scheduled, AS SOON AS PRACTICAL BUT WITHIN ONE YEAR to attend a POST approved Basic Investigations

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course and Sexual Assault Investigation Course. In addition, each investigator, within one year of assignment, shall attend the Department specific Detective Entry Training course. The Field Evidence Tech course, Raid Planning course, Interview and Interrogations course and Surveillance course should also be attended as soon as practical.

This requirement shall also apply to first line supervisors (sergeants) of station Area Investigators Units when that supervisor has not received equivalent training.

- E. The above-mentioned training shall be considered the minimum standards for the beginning investigator. Additional training courses for specialized investigations (i.e., robbery and homicide) may be made available as personnel and funding permit. UNIT SUPERVISORS WILL WORK WITH DEPARTMENTAL TRAINING STAFF TO ACCOMPLISH ADDITIONAL TRAINING.
- F. Advanced Training / Schools
1. Robbery Investigations
  2. Child Abuse Investigations
  3. Vice Investigations
  4. Fraud/Forgery Investigations
  5. Domestic Violence Investigations
  6. Narcotics Investigations
  7. Interview and Interrogation Techniques
  8. Homicide Investigations
  9. Legal Updates
- G. The Department will identify those specialized positions within the Department that require acquisition of particular skill and knowledge specific to those positions and the corresponding training requirements.
- H. It is the responsibility of each command to:
1. Identify, in a written directive, those positions for which specialized training is required.
  2. Identify the precise training program necessary to satisfy the specialized training need. The training program should, at a minimum, address the following:
    - a. Development and/or enhancement of the skills, knowledge and abilities particular to the specialization.
    - b. Management, administration, supervision, personnel policies and support services of the functions or component.

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- c. Performance standards of the function or component.
  - d. Agency policies, procedures, rules and regulations specifically related to the function or component.
  - e. Supervised on-the-job training.
- I. The station/unit detective sergeant will be responsible for adherence to training requirements for newly assigned investigators, and also for the documentation of that training.
- 1. Documentation for orientation should be in the form of a deputy's report by those assigned to train the newly assigned detective. Topics discussed and the employee's ability to comprehend and perform the tasks should be included.
  - 2. These reports shall be maintained for at least one year by the unit supervisor, and may be included in the employee's station training file (P&P Section [3.20](#)).
- J. The command shall, within 30 days of the assignment of an employee to a specialized position, initiate a request for specialized training with the Training Division. The Training Division will then, in conjunction with the command, arrange for the appropriate programs necessary to satisfy the training requirements for the specialized position.

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DATE	SECTION	NUMBER
Jan. 27, 2006	EQUIPMENT / VEHICLES	C.1

**SUBJECT:**

**EQUIPMENT**

**C.1.1 Detective Equipment**

Each detective has access to various items of equipment which are necessary to accomplish the investigative mission. Presently, these items may consist of but are not limited to the following:

- A. Remington 12 gauge pump shotgun
- B. Fingerprint Kit
- C. Binoculars
- D. Voice Recorder
- E. Cameras – 35mm, Digital
- F. Evidence Kit
- G. Blood Borne Pathogens Kit
- H. Raid Jacket/Vest
- I. Tactical Gear (optional to area command)

**C.1.2 Maintenance of Equipment**

All detective personnel are required to:

- A. Maintain all issued equipment in a clean, neat and proper working condition.
- B. Ensure that all issued equipment is stored properly and in such a manner as to provide the item with maximum protection at all times.
- C. Periodically check stored equipment to insure the item is clean and functions properly.
- D. Immediately report to the detective sergeant any lost, stolen, damage (accidental or otherwise) or malfunction of any equipment. Complete departmental form [SO-5](#).
- E. Ensure that all items of equipment are kept readily available for utilization in the event of call-out.
- F. Submit, when requested, any item of equipment for inspection.
- G. Utilize the county vehicle. County radio and any other appropriate county equipment during any combined area, divisional or agency law enforcement effort.

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DATE	SECTION	NUMBER
Jan. 27, 2006	EQUIPMENT / VEHICLES	C.2

**SUBJECT:**

VEHICLES

C.2.1 Detective Vehicle

County vehicles are provided for the specific purpose of "immediate response". Therefore, all investigative units are expected to respond whenever or wherever they are requested.

All detective personnel are required to:

- A. Maintain their respective vehicles in a neat, clean, proper working condition at all times.
- B. Ensure all vehicle parts, accessories and attachments are kept in proper working order.
- C. Ensure assigned vehicles and accessories are maintained in an authorized configuration.
- D. Maintain their respective vehicle in a ready condition so that if called out to a crime scene, all necessary equipment/supplies are readily available.
- E. Ensure all proper and necessary investigative equipment is stored within the vehicle in such a manner that will provide it maximum protection / cleanliness. Evidence shall not be stored in the vehicle.
- F. Maintain proper [mileage sheets](#), [accident forms](#), etc. within the vehicle at all times, insuring all forms are kept up to date.
- G. Immediately report any damage (accidental or otherwise) to the detective sergeant or in their absence, the on-duty patrol supervisor so that a determination can be made as to proper disposition.
- H. Operate their respective vehicle in a safe and lawful manner at all times.
- I. Home garaged vehicles will be operated in accordance with Department P&P [Section 5.2](#).



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DATE	SECTION	NUMBER
Mar. 28, 2008	OPERATIONAL PROCEDURES	D.1

**SUBJECT:**

CASE CLASSIFICATION AND ACCOUNTABILITY

D.1.1 Purpose

The following procedure is established to facilitate an ongoing management information system which will demonstrate an accurate detective workload profile through a realistic evaluation of case assignment and accountability.

D.1.2 Classification

A. Workable (Priority)

Immediate *follow-up* is *required* based on, but not limited to one or more of the following:

1. An incident that by its occurrence invites public outrage and could bring discredit or impairment to the operational efficiency of this Department, or is otherwise sensitive in nature.
2. A knowledge that suspect(s), victim(s), witnesses, etc. availability for interview and recollection is imperative for the successful conclusion of the investigation.

B. Workable

This determination may be based on, but not limited to one or more of the following:

1. Information in the report indicates recognition of the suspect(s) by the victim(s) and/or witnesses.
2. License plate numbers of the suspect vehicle(s).
3. Extraordinary M.O., property loss or victim.
4. Suspect arrested, case needs additional work for filing with the District Attorney's office.
5. Other mitigating circumstances or community/public relations requires follow-up contacts be made.
6. When the detective requests the case be assigned as WORKABLE.

C. Non-Workable

These cases have no investigative leads at the time they are assigned to the detective, but may become workable as investigative leads become available. The cases will be logged as NON-WORKABLE on the monthly statistic sheets.

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DATE	SECTION	NUMBER
August 7, 2015	OPERATIONAL PROCEDURES	D.2

**SUBJECT:**

CASE MANAGEMENT

**D.2.1** Case Assignment

The detective sergeant shall review all cases for classification and assignment purposes. In the absence of a detective sergeant, a station or substation sergeant shall review cases for classification and assignment. If no sergeant is available, an acting sergeant shall carry out these duties temporarily. Sergeants shall not delegate case assignments to a subordinate as a permanent duty. All cases will be assigned to the detectives as WORKABLE or NON-WORKABLE as defined in D.1.2.

The detective sergeant shall assign a new primary detective to cases previously assigned to another detective anytime the detective previously assigned to the case is transferred, promoted, etc. There should be a primary detective assigned to every case including closed cases.

**D.2.2** Case Distribution and Processing

All cases received by an area command will be assigned to a detective at that command unless the case clearly meets the criteria for a specialized unit. If there are doubts about a particular case meeting the criteria, the detective sergeant should contact the sergeant assigned to the specialized unit to discuss the case.

- A. All cases, WORKABLE and NON-WORKABLE, should be discussed at detective line-ups or briefings.
- B. Contacts with victims will be dictated by classification of the case. The types of contacts will differ depending on whether the case is:
  - 1. Workable - Phone or personal contact as soon as possible and continued contact until the case is closed or suspended.
  - 2. Non-Workable - No other contact is needed unless the victim calls or investigative leads are forthcoming that could lead to the closure of the case.
- C. All victims of non-workable cases should be sent "Victim Notification Letters" providing them with the name and contact information for their assigned detective.
- D. Appropriate follow-up reports shall be submitted in a timely manner on all cases classified as Workable. Detectives shall make case review entries in NetRMS using the "Case Review" located within the "Edit Case Details" feature indicating the reason a case is still open. For all cases that remain open beyond 60 days the primary detective SHALL make an entry into the

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"Case Review" indicating why the case remains open. This entry shall take place on or before the 60<sup>th</sup> day.

Detectives shall enter a specific reason in the comment section of the "Case Review" indicating why the case remains open. Cases may remain open for one or more of the following reasons:

- Unable to contact victim(s)
- Unable to contact witness(es)
- Unable to contact or identify suspect(s)
- Awaiting documentation
- Awaiting other evidence (e.g. lab results)
- Awaiting results of photographic line-up
- Awaiting medical reports
- Awaiting reports from outside agency
- All possible leads not investigated yet
- Case is a lower priority due to current caseload restraints
- Other situations or circumstances not mentioned (e.g. case complexity)

Detective sergeants shall monitor open cases to ensure detectives are reviewing cases within the 60 day period. Detective sergeants will use the Detective Review of Open Cases custom report within NetRMS reports as a management tool to ensure compliance. Detective sergeants must export the Detective Review of Open Cases to a .pdf file and forward the report to his or her lieutenant by the 10<sup>th</sup> day of each month. The lieutenant shall forward the report to his or her captain for further review.

- E. The detective sergeant will be responsible to close or clear cases in NetRMS after approving the detective's report supporting the appropriate closure or clearance. In the absence of a detective sergeant, an acting sergeant shall assume the responsibility. Sergeants shall not delegate case closures or clearances to a subordinate as a permanent duty. When closing or clearing a case, the following dispositions will be used.

Note: Case clearances include Arrest, Exception, and Unfounded. Case clearance rules are dictated by the Uniform Crime Reporting Manual. Uniform Crime Reporting is a collective effort on the part of local, county, state, federal and tribal law enforcement agencies to collect accurate crime data on a nationwide level. All case dispositions other than Arrest, Exception and Unfounded are case closures.

1. Suspended

Suspended is used when a detective has exhausted all leads and can no longer proceed with the investigation. It can also be used to temporarily

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remove a case from their caseload while awaiting the results of evidence testing which can take several months. Examples of delays might be DNA, IBIS, computer forensics, latent prints, etc.

### 2. Arrest

Once a case folder contains any report with a title of Arrest/JCR, the case must *always* be closed as Arrest. A case cannot be closed as Arrest if the suspect was arrested on an unrelated case (e.g. an individual is a suspect in a burglary and is arrested for possession of the credit card taken during the burglary). In the previous example, there is no direct evidence linking the suspect to the original burglary case. Therefore, the burglary case cannot be closed by Arrest. A new case file must be opened for the possession of stolen property violation.

Often, a Crime/Incident report is the first report entered into a case file and a suspect has not been arrested. A detective may submit the case to the DA and subsequently seek and obtain an arrest warrant for the suspect. If another agency arrest the suspect(s) based upon the warrant(s), the primary detective shall complete an Arrest/JCR report in NetRMS. When the detective enters the arrestee information, he or she shall use the "Non-Sheriff Other" in the drop down menu for "Arresting Officer." The case will then be cleared by Arrest.

### 3. Submitted DA

Closing a case as Submitted DA means no one has been arrested on the case, the suspect is known, and the case was submitted to the DA for review, and/or the detective requested an arrest warrant for the suspect(s). In essence, the detective is awaiting a decision on whether the DA wishes to proceed with prosecution. **Submitted DA is a temporary closure.** Detectives shall liaison with the DA handling their case and complete a follow-up report detailing the final case status (e.g. prosecution declined, warrant issued, arrest, etc.). Upon approving the assigned detective's final report, detective sergeants **shall** change the status to Arrest, DA Reject, or Exception based on the DA's decision or circumstances. In cases that the DA chose not to prosecute, a Complaint Request Evaluation (CRE) shall be scanned into the NetRMS case folder.

If a suspect has been arrested and the DA chooses not to prosecute the suspect, that case must be closed by Arrest.

### 4. No Pros

No prosecution refers to cases where the victim refuses to participate in the prosecution by testifying in court against a subject who has yet to be identified, or a known suspect who has not been arrested. Common examples are bar fights or gang crimes.

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### Examples:

- A patrol deputy arrives at a bar fight. An individual claims to be the victim of an assault by a known suspect. The suspect is not on scene and is not arrested. The individual claiming to be the victim makes a statement he or she does not want anything done. The patrol deputy documents the incident on a crime report listing the individual who remained at the bar as the victim and the individual who was not on scene as the suspect. The case is assigned to an area detective who contacts the known suspect while conducting the follow-up investigation. The known suspect claims the other individual (victim in original C/R) started the fight and he or she was forced to defend him or herself. The suspect admits both parties had too much to drink and he or she wants no further action taken. Absent independent witnesses or other evidence to corroborate either party's story, another crime case should be written listing the person the detective contacted as the victim and the original victim as the suspect. In this case, probable cause has not been established (one person's word against the other). Because neither party wishes to cooperate and probable cause was not established, both cases may be closed No Pros.
- A patrol deputy is dispatched to a fight call. Upon arrival, the deputy contacts several gang members who appear to have been in a fight. Witnesses say another group of apparent gang members, armed with bats, had been fighting with the group on scene but fled prior to the deputy's arrival. The patrol deputy documents the fight on a crime report listing the unknown individuals who fled as suspects. The gang members on scene say they were attacked but are uncooperative and provide no further information. Subsequent investigation does not establish the identity of the other individuals. This case could be suspended pending further leads, but because the listed victims steadfastly refuse to cooperate, No Pros is a more appropriate closure.

In cases when the suspect's identity is known, the investigation developed probable cause for an arrest, and the detective knows the location of the suspect, No Pros is not the appropriate closure. Such cases will be cleared by Exception.

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### 5. Unfounded

Unfounded clearances are used when a criminal incident was reported and the investigation proved there was no criminal law violation. In most cases, unfounded criminal cases are identified after the preliminary investigation by the patrol officer. As mandated by US DOJ, a case report should be generated even if the initial investigation proves to be unfounded (e.g. an individual reports their vehicle stolen only to realize later the vehicle was not stolen). In such a case, the stolen vehicle report would be generated and the detective would submit a follow-up report explaining why the case was unfounded.

### 6. Exception

Exceptional clearances mean the case was solved, a suspect has been positively identified but for reasons outside of the detective's control he or she cannot arrest that person. In order to close a case by exception, the last report in the case folder must contain a Crime/Incident Report or a Follow-Up Report, and the case disposition field must contain the selection of Exception.

In order to have an exceptional clearance per the UCR Manual all four questions must be answered in the affirmative.

1. Has the investigation definitely established the identity of the offender?
2. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?
3. Is the exact location of the offender known so that the subject could be taken into custody *now*? If the defendant is deceased #4 applies and the case can be closed by exception.
4. Is there some reason outside law enforcement's control that precludes arresting, charging, and prosecuting the offender?

Examples:

- A detective identified the suspect in a case. The detective knows where the suspect is and could make a probable cause arrest. Based on the facts of the case (e.g. limited evidence, non-violent crime, knowledge of issuing guidelines) the detective elects not to make an arrest. The detective submits the case to the DA for review. The DA declines to prosecute and returns a Complaint Request Evaluation (CRE) to the detective. The CRE indicates the prosecutor cannot prove the case beyond a reasonable doubt. The decision not to prosecute is beyond law enforcement's control therefore the case will be cleared by Exception.

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- A detective identified a suspect in a case and submitted the case to the DA requesting an arrest warrant. The DA issues the case and an arrest warrant is in the system. The detective subsequently determines the suspect is in a foreign prison and the foreign government will not extradite the individual to the United States. The foreign government's decision is beyond law enforcement's control therefore the case will be cleared by Exception.
- A detective identified a suspect in a case the DA issued the case, and there is an arrest warrant in the system. The detective subsequently learns the suspect was shot and killed during a drive by shooting before he could be arrested for the submitted case. The suspect cannot be arrested or prosecuted for this case. The case will be closed by Exception.
- A detective identified a suspect in a case and the victim is initially cooperative. The detective submitted the case to the DA. The DA is willing to issue the case, but the victim decides not to cooperate further. The DA is unwilling to proceed with the prosecution because the victim does not wish to proceed. This case will be closed by Exception.

### 7. Department Closure

Department Closure is to be used on non-criminal incidents. Examples are unsubstantiated child abuse incidents (not criminal offenses), death investigations, suicides/attempted suicides, found/lost property, miscellaneous incident reports, traffic accidents, or cases referred to another agency.

### 8. To City Attorney

In situations where contract cities have their own city attorneys who prosecute misdemeanor offenses, these cases may be forwarded to the City Attorney's Office. Case folders that are closed - To City Attorney follow the same criteria as cases closed as Submitted DA.

### 9. DA Reject

DA Reject refers to cases where the District Attorney's Office chooses not to proceed with criminal prosecution against a person, which could include declining to issue an arrest warrant on that person. If all four questions under exception can be answered in the affirmative, sergeants shall not allow the use of DA Reject to close a case. If the case folder

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already contains another subject who was arrested within the same case, the case cannot be closed as DA Reject. The case must be closed as Arrest.

Examples:

- A detective submits a case to the DA requesting a warrant be issued for a suspect. The detective does not know where to locate the suspect. Upon DA review the DA sends a CRE stating the case cannot be proven beyond a reasonable doubt. This case will be closed as DA Reject because all four questions required for an Exceptional clearance cannot be answered in the affirmative.
- A detective is not comfortable arresting the suspect due to a perceived lack of probable cause based on the circumstances or evidence. However, the crime involves a serious offense (e.g. rape, child abuse, or other violent crime), and the detective desires prosecutorial review to ensure the prosecutor concurs. The detective submits the case to the DA for review. The DA sends a CRE stating there is not probable cause and/or the case cannot be proven beyond a reasonable doubt. In such a case the detective was asking for legal review. The prosecutor concurred with the detective's analysis that there was not probable cause. The detective cannot answer the following question in the affirmative:

Is there enough information to support an arrest, charge and turning over to the court for prosecution?

The case will be closed DA reject.

### 10. Located Missing Person

If a located missing adult or juvenile is located and the report title is Missing Person Report, then the case folder shall be closed as Located Missing Person. If a juvenile is located and documented with an Arrest/JCR Report, that case folder must be closed as Arrest.

### 11. Cancel Case Number

Cancel Case Number means a deputy requested a case number and then determined it was not needed. Cancel Case Number does not apply to situations where a crime is reported and the investigation later determines the incident is Unfounded. In such a scenario, a Crime/Incident Report must be written with a case disposition of



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Unfounded. In order to close a case folder as Cancel Case Number, the case folder must not contain any items such as attachments, subfolders, or reports that are draft status, in-progress, returned, submitted, approved, or URL links.

NOTE: When closing out two or more cases by arrest, the main case will be called the KEY CASE. The arrest report(s) and narrative pages to the arrest report(s) and/or detectives follow-up should have KEY CASE written before the main case number. List all cases being closed by arrest under REFERENCES in the arrest report or detective follow-up.

- F. The case log feature shall be used to make investigative note entries. Typical entries could include attempts to contact suspects, witnesses or victims, scheduling of interviews, etc.
- G. Detectives and professional staff shall make an entry in the case log when releasing reports or sending correspondence about the case. The entry shall include the name, address, agency or relation to the case (e.g. victim), and reason for release or type of correspondence (e.g. victim letter, property release, etc.).

### D.2.3 STATISTICS

The Detective Monthly Recap is a supervisory tool which is useful for providing an overview of a detective's or a detective unit's case clearance activity. Detective Monthly Recap reports are located within NetRMS. A Detective Monthly Recap can be generated for individual detectives or for all detectives assigned to a unit by using the drop down selection menu within the Detective Monthly Recap report. Once generated, the report will display the detective's name, the month, and the following columns.

- A. Crime Class: this section contains an expandable list of crimes. When the plus (+) button is selected, a hyperlink to each case assigned appears.
- B. Current Month Cases: All cases for the current month are assigned as either workable or non-workable and will generally fall into one of the following descriptions:
  - 1. Non-Workable (NW): These are cases determined to be non-workable at the onset. They may be "insurance only" reports or crimes where there are no suspects, no physical evidence, no witnesses, etc. The determination of workability will generally be made prior to the assignment of the cases by the sergeant of the detail or their designee.
  - 2. Workable (W): These are cases which are workable. There may be suspects or witnesses listed who have not been interviewed, evidence to obtain or the case itself demands investigative action.
- C. Prior Cases Work: These are all cases assigned as workable in the months prior to the month for which the recap is being submitted.

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- D. **Workable Cases Accounting Cases Cleared:** This section refers to the status of those cases listed in the current and prior workable cases columns that have been cleared. The section provides a breakdown of how the cases were cleared (e.g. unfounded, arrest, submitted DA, etc.).
- E. **Suspended Cases:** This section shows the number of cases a detective received and suspended in the current month and the number of cases suspended that were carried over from previous months.
- F. **Total Workable:** This section shows the number of open workable cases carried over after subtracting the cleared and suspended cases for the reporting period.
- G. **Total Arrests:** This section shows the numbers of adult and juvenile arrests for the reporting period.

### D.2.4 Evidence

- A. At crime scenes, if a detective is called out, the collection, retention and control of evidence shall be the responsibility of the detective. If the scene is a major crime, Detectives may request Crime Lab personnel to assist in accordance with Crime Lab policies. In cases such as these, Crime Lab personnel will be responsible for the collection and packaging of evidence at the scene. Generally, Crime Lab personnel will turn collected evidence over to the lead detective on scene. However, exceptions may be made at the discretion of Crime Lab personnel. Crime Lab personnel at the scene of a Central Investigations Division crime scene (e.g. homicide, child abuse, sexual assault) shall be responsible for the collection, packaging and retention of evidence at the direction of the lead detective.
- B. All evidence which comes under the control of a detective shall be entered into the evidence log and deposited into the evidence locker by the close of each work day. Evidence shall not be stored at the end of a deputy's shift in vehicles, workspaces, desk drawers, or any location other than the evidence locker or secured evidence vault.
- C. Detectives shall periodically review their cases to determine if an evidence disposition is warranted.
- D. The detective sergeant is responsible for assuring that the assigned detective makes a timely disposition of any property/evidence collected. This is to include property/evidence collected in cases closed by the patrol division.

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DATE	SECTION	NUMBER
Sep. 20, 2019	OPERATIONAL PROCEDURES	D.3
<b>SUBJECT:</b>		
CONFIDENTIAL INFORMANTS		

## D.3.1 Procedure

Viable informant candidates will be cultivated, de-conflicted and utilized as directed by the Sheriff's SID/NGD Operations Manual Section 2.8.

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DATE	SECTION	NUMBER
Dec. 24, 2009	OPERATIONAL PROCEDURES	D.4
<b>SUBJECT:</b>		
DETECTIVE UNIT FILES		
Due to the electronic storage of cases in NetRMS, this subject has been deleted.		

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## DETECTIVE OPERATIONAL MANUAL

DATE	SECTION	NUMBER
Oct. 27, 2016	INVESTIGATIVE TECHNIQUES	E.1

**SUBJECT:**

INFORMATION GATHERING

E.1.1 Introduction

The purpose of this section is to instill upon the detective the concept that nearly all crimes are solved by receipt of information; thus the effectiveness of a detective is largely dependent upon the investigator's ability to obtain information from victims, witnesses, informants and suspects. Knowing where to obtain other kinds of information and evaluation of evidence is equally important. The first part of this section deals with interviews and interrogations; the second part with investigative resources and evidence analysis. The following comments are intended as general guidelines to investigation and all techniques are subject to applicable court decisions.

E.1.2 Resources & Investigative Steps

Although specific information on specific subjects is set forth in this section, the detective must keep in mind the following investigative steps (and resources available with each step) that are applicable to the particular case.

- A. Review and analyze all previous reports of the preliminary investigation
- B. Conduct additional interviews and/or interrogations
- C. Review departmental records
- D. Obtain any available information from patrol deputies, citizens, informants, etc.
- E. Contact any outside sources of information, to include citizen informants (i.e., Crimestoppers)
- F. Contact Crime Analyst for possible relationship between current and past crime trends
- G. Contact a Crime Analyst or Criminal Intel Analyst for possibility of criminal links between other law enforcement agencies
- H. Contact other outside law enforcement agencies, to include investigators and L.E.C.C.
- E. Review lab reports
- F. Prepare and distribute informational fliers (briefing board information) for patrol deputies and outside agencies
- G. Plan, organize and conduct necessary searches
- H. Prepare case for submission to District Attorney and possible later presentation in court

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- I. Identify and apprehend the suspect(s)
- J. Collect and preserve all necessary physical evidence
- K. Review involvement of your suspect in other possible crimes and/or cases
- L. Check suspect's criminal history
- M. Run criminal history on victims & witnesses. Although each and every item listed above may not be applicable to each case being investigated, they are provided above as guidelines.

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DATE	SECTION	NUMBER
Oct 27,2016	INVESTIGATIVE TECHNIQUES	E.2

**SUBJECT:**

## INTERVIEWS & INTERROGATIONS

### E.2.1 Definitions

#### A. Interview

An interview is the questioning of a person to obtain information about a crime, incident or suspect and is usually informal and the person relates his/her account in his/her own words.

#### B. Interrogation

1. Any direct questioning about the crime being investigated or
2. The "functional equivalent" of direct questioning.

A fine line may exist between interviewing and interrogating and may hinge upon the point of suspicion in the mind of the investigator.

## VICTIM/WITNESS STATEMENTS

### E.2.2 Interviews

A large part of an investigation is devoted to interviews and, in many cases; interviews are the only source of information. There are certain guidelines to consider when conducting an interview since most novice interviewers in police work neglect to develop a technique. They utilize the hit and miss method.

- A. The interview should occur as soon after the incident as possible.
- B. The interview should be conducted at the interviewer's office or other location where the detective has the most advantage and the best chance to control the interview.
- C. The interviewer should identify himself/herself on the first meeting.
- D. The interviewer should be familiar with as much of the case as possible so he/she can capitalize on as many statements the witness makes as possible.
- E. Let the witness state his/her accounts of what occurred, then go back over the statement and elaborate on some points and perhaps broach some areas the witness did not mention.
- F. Ask one question at a time. This avoids confusing the witness, allows the interviewer to maintain the orderly conduct of the interview.
- G. Avoid the implied answer. The interview becomes futile if the answers are

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suggested in the questions. The objective is to find out what the witness knows.

- H. Keep the questions as simple as possible and avoid long, complicated, legalistic questions.
- I. Do not restrict the witness to yes and no answers. Let the witness tell what he/she knows.
- J. Maintain a positive attitude toward the witness.
- K. The detective should keep in mind the various types of witnesses and vary his/her techniques accordingly. The following are things to consider:
  - 1. Age of children, young, middle aged and older persons.
  - 2. Sex of boys, girls, men and women
  - 3. State of mind (emotions) of interviewee
  - 4. Social/economic background of interviewee

There are many types of personalities the interviewer will encounter and each type must be handled individually:

- a. Know-nothing type
  - b. Disinterested type
  - c. Suspicious type
  - d. Talkative type
  - e. Honest type
  - f. Deceitful type
  - g. Timid type
  - h. Drunken type
- L. Repeat or follow-up contacts with witnesses or victims at a later time may produce additional information and detectives are reminded that these follow-up contacts or phone calls are appropriate and desired.

### SUSPECT STATEMENTS

#### E.2.3 Interrogations

Interrogations are generally used when questioning suspects but may be used in certain cases when questioning witnesses and informants. This section will restrict itself to questioning of suspects with one or more of these objectives in mind:

- A. To obtain a confession to the crime
- B. To induce the suspect to make admissions
- C. To learn the facts and circumstances surrounding a crime



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- D. To learn the identities of accomplices
- E. To identify reasons behind commission of the crime in order to track current and future crime trends.
- F. To identify possible sources of information by examining criminal history, crime complexity, associates, initial cooperation and determine the probability of obtaining additional information on unrelated crimes
- E. To develop information which will lead to the recovery of stolen property
- F. To discover the details of other crimes in which the suspect participated the interrogator must maintain control over the interrogation with his/her assertive personality.

Therefore, the detective should be as familiar as possible with what facts of the case are available and should have an idea of where the interrogation will lead. Often it is helpful for the interrogator to have a partner to assist with good-guy/bad-guy, etc. Some plan of attack should exist before the interrogation begins.

There are numerous approaches to interrogating suspects and the detective should familiarize himself/herself with various styles and employ the one that seems most appropriate based on the circumstances surrounding the instant case.

The detective should be aware that overt tape recordings of certain interviews and interrogations may be desirable and effective, however, in some instances a total "turn off" to an interviewee. The same could be true of note taking.

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DATE	SECTION	NUMBER
Jan. 27, 2006	INVESTIGATIVE TECHNIQUES	E.3

**SUBJECT:**

## INVESTIGATIVE RESOURCES AND EVIDENCE ANALYSIS

### E.3.1 Investigative Resources - Internal

There are many internal resources to assist the detective in developing information, including but not limiting to the following:

- A. ARJIS - The Automated Regional Justice Information System contains data on crimes reported, suspects arrested, field interrogation cards written, citations, pawn and property info, etc.
- B. SUN - County of San Diego IBM Systems provides DMV data stolen property, wanted and missing persons, and stolen vehicles.
- C. The County Computer Systems, such as [SDLaw](#), contains data on criminal history information (local) warrant information, jail booking and release information, court records, county assessor's property records, etc.
- D. Photograph Files - There are many different places to obtain photos, such as [SDLaw](#), [DOJ CAL Photo](#), [Parole LEADS](#), DMV, and station FI files.
- E. Fingerprint Files - Suspects are fingerprinted when booked, and the prints are available for comparison with latent prints collected at a crime scene to confirm identity of suspects.
- F. DNA Files – CODIS Database with DNA profiles of Suspects for comparison purposes
- G. Crime Lab (See E.4) - The Sheriff's Regional Crime Laboratory can provide innumerable comparative and chemical tests on evidentiary material.
- H. Law Enforcement Support Units - SID, Fraud, Homicide, Bomb/Arson, Personnel, Emergency Services Division, NTF, etc. Jail Investigations can track and record outgoing phone calls made to specific telephone numbers from inside detention facilities.
- I. Records/License Division - Files on all persons processed by the Sheriff's Department including criminal history and license/permit applications.
- J. CAL I.D. - California Identification System provides local agencies with timely accurate and effective latent print card services. The system includes various functions.
  - 1. Storing of fingerprints.
  - 2. Storing of latent fingerprints from crime scenes.
  - 3. Scanning the known prints for comparison and matching with latent prints.

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4. Providing suspect information concerning these comparisons.

### E.3.2 Investigative Resources - External

#### A. Other Agencies

1. Department of County Probation - they provide information regarding adult and juvenile probationers.
2. State Parole - they provide information regarding subjects on parole. They also maintain the Parole LEADS database, which can be accessed by investigators.
3. U. S. Post Office - they provide an address in criminal investigations.
4. Utility Companies - they provide an address in criminal investigations.
5. Naval Criminal Investigative Services - they provide an address in criminal investigations.
6. Alcohol, Tobacco & Firearms (A.T.F.) - can provide firearms purchase and registration information.
7. California Department of Motor Vehicles (D.M.V.) - maintains all vehicle registration and drivers license records.
8. Lexis-Nexis - database of public record information.

#### B. Sources of Information

1. Telephone directories
2. State of California, Department of Justice, Bureau of Identification (CII)
3. F.B.I.
4. Department of Homeland Security
5. Post Office
6. Telephone Company
7. Registrar of Voters
8. California Horse Racing Board
9. County Clerk's Office - Vital Statistics
10. County Clerk's Office - Divorce Records
11. County Clerk's Office - Civil Files
19. Building Department
20. Health Department

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21. Welfare Department
22. School Department – School Resource Officers
23. County Recorder's Officer – Marriage License Section
24. County Recorder's Office – Birth Certificate Section
25. County Recorder's Office – Death Certification Section
26. County Auditor's Office
27. Law Enforcement Intelligence Unit (LEIU)
28. County Surveyor's Office
29. County Coroner's Office
30. Public Administrator's Office
31. Banks and finance companies
32. Bonding companies
33. Stockbrokers
34. Credit reporting agencies
35. Gas and electric companies
36. Water companies
37. Telegraph companies
38. Moving companies
39. American Medical Directory
40. Director of Newspapers and Periodical - N.W. Ayer & Sons,  
Philadelphia
41. Lloyds Register of Shipping
42. Lloyds Register of Yachts
43. Secretary of State - Corporate Division
44. State Controller
45. State Department of Agriculture
46. Department of Natural Resources
47. Consumer Affairs
48. Alcohol Beverage Control
49. Federal Immigration and Naturalization Service
50. Securities and Exchange Commission

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51. Better Business Bureau
52. Chamber of Commerce
53. Department of Corrections
54. American Insurance Company
55. Dunn and Bradstreet Resource Services
56. Department of Motor Vehicles
57. Treasury Department - Enforcement Agencies
58. INTERPOL
59. Harbor Police
60. Airport Security
61. County Recorder's Office
62. Newspaper Library or Newspaper "Morgue"
63. National Insurance Crime Bureau (818-335-9499)
64. Federal Aviation Administration
65. CAL Photo
66. Lexis-Nexis
67. Parole LEADS
68. Cable companies
69. Internet
70. California Pawn and Secondhand Dealers System

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DATE	SECTION	NUMBER
Jan. 27, 2006	INVESTIGATIVE TECHNIQUES	E.4

**SUBJECT:**

SHERIFF'S REGIONAL CRIME LABRATORY

E.4.1 Utilization of Crime Lab

The Sheriff's Regional Crime Lab can provide innumerable comparative and chemical tests on evidentiary material.

Crime Lab use and call out is usually determined by the following factors:

- A. A need for specialized equipment is usually available to an area investigator.
  - 1. Highly versatile cameras
  - 2. Specialized lighting equipment
  - 3. Mold and casting facilities
  - 4. Irregular fingerprint lifting techniques needed
  - 5. Unusually large amount of evidence to be gathered
  
- B. Gravity of the crime such as a large number of commercial burglaries during the same time period and extreme loss.
  
- C. The detective should not become dependent upon, but should be aware of the availability of polygraph examinations of suspects, witnesses and victims when appropriate. Often times a telephone contact with a lab technician for the purpose of explaining crime scene circumstances will prevent unnecessary call out or conversely this contact may result in their response and successful gathering of evidence which would otherwise be lost.

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DATE	SECTION	NUMBER
Dec. 26, 2011	REPORTING UNIFORMITY	F.1

**SUBJECT:**

AREA INVESTIGATOR FORMS AND REPORTS

F.1 INTRODUCTION

The following forms or reports shall be utilized by all Detectives to achieve department-wide uniformity of reporting. Most are self-explanatory, however, where necessary, clarifications are inserted to eliminate deviations. All of these forms or reports are automated with the NetRMS custom report page.

- A. Auto Theft Hot Sheet
- B. Case Closure – Disposition Mismatch Report
- C. Declaration in Support of Arrest Warrant
- D. Recovered Stolen Vehicle Audit Report
- E. Detective Assignment Record
- F. Detective Monthly Recapitulation
- G. Follow-up Investigation Report



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DATE	SECTION	NUMBER
Dec. 24, 2009	REPORTING UNIFORMITY	F.2

**SUBJECT:**

REPORT PROCEDURES

F.2 Review, Distribution and Accountability of Report

- A. Purpose: To establish guidelines for processing reports written by members of the Department. This is to ensure that the assignment has been satisfactorily completed and reported.
- B. Procedure: All case and deputy reports will be reviewed by the employee's first line supervisor prior to being forwarded through the NetRMS administrative work flow process.
- C. All reports will be forwarded to the responsible investigative division. If it is not reflected in the report that the investigative division was notified at the time of the incident, (i.e., Arson was called to the scene of a questionable structure fire), the station that processes the report will notify the investigative division the next working day following the incident. Courtesy reports taken for outside agencies will be forwarded via the same method to the agency that is responsible for the investigation of the incident.
- D. Reports to be released to the public and/or news media will be released after following the guidelines previously established in [Sections 6.24](#) and [7.3](#) of the Department Policy and Procedure Manual.

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DATE	SECTION	NUMBER
October 24, 2019	REPORTING UNIFORMITY	F.3

**SUBJECT:**

EMERGENCY CELL PHONE PING PROCEDURES

F.3 Review, Distribution and Accountability of Report

- A. Purpose: To establish guidelines for compliance with the California Electronic Communications Privacy Act (Penal Code 1546) by members of the Department.
- B. Procedure: All cases where a member of the department obtains electronic information such as subscriber information or GPS data pursuant an exigent circumstance shall submit an application for a court order within three court days.
- C. Exigent circumstance is an emergency involving danger of death or serious physical injury to a person.
- D. It is the responsibility of the deputy or detective requesting an emergency ping to complete the "ORDER Authorization to Retain Electronic Communication Information Voluntarily Provided: Emergency Law Enforcement Request." This form can be found in the Sheriff's Intranet under: Resources/Department Forms/Investigations. Once completed, the form shall be emailed to the District Attorney's Liaison to the Sheriff's Department for processing. The District Attorney's Office will process the order through the court and email a signed copy to the deputy/detective.
- E. When the deputy or the assigned detective receive a signed copy from the District Attorney's Office the deputy/assigned detective shall attach a copy of the order to the case in NetRMS.
- F. The deputy or the assigned detective shall ensure that notice is provided to the service provider and the identified target of the cell phone ping as specified in Penal Code section 1546, et seq.

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DATE	SECTION	NUMBER
Dec. 26, 2011	GENERAL CRIME INVESTIGATION	G.1

**SUBJECT:**

## INVESTIGATIVE GUIDELINES

### G.1.1 Introduction

This section is intended to provide investigative guidelines for additional specialized procedures that apply to all types of cases.

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DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.2

**SUBJECT:**

ARREST WARRANTS AND SEARCH WARRANTS

G.2.1 Affidavits in Support of Arrest and Search Warrants

Arrest Warrant procedures will be followed as stated in the publication of the California Department of Justice Office of the Attorney General. Search Warrant procedures will be implemented as stated in the publication of the California District Attorney's Association. Maintaining the latest publication of these books will be the responsibility of each area investigative supervisor. He will provide sufficient copies for the number of detectives in his/her unit.

Pursuant to [PC 964](#), confidential personal information; defined as an address, telephone number, driver's license or California Identification Card number, social security number, date of birth, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings or checking account number, or credit card number of victims and witnesses will be omitted from documents in support of search and arrest warrants when the information is not necessary to determine probable cause. This includes affidavits. When confidential personal information is necessary, steps to seal the document should be taken.

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DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.3

**SUBJECT:**

DNA WARRANTS

### G.3.1 DNA Warrants

DNA warrant (John Doe Warrant) - In cases where DNA evidence is obtained, extracted and a suspect is identified from the DNA profile, an arrest warrant can be obtained through normal protocols, similar to suspect identification through fingerprints.

When a DNA profile is obtained but there is no hit in CODIS (Combined DNA Index System), meaning there is no record of what name (common identity) matches that particular DNA, a warrant should still be obtained in order to prevent the statute of limitations from expiring. DNA is the only form of physical evidence that is considered an identity and an arrest warrant can be issued for a DNA identity, even if the common identity is not known.

Submit known DNA/unknown common identity cases as you would any other case where the common identity is known. If the case is approved for issuance, the D.A.'s office will notify the detective and instruct the detective to write the "John Doe" arrest warrant.

Since the John Doe warrant may remain in the system for a very long time, it is very important to verify the accuracy of contact information, I.D. numbers, etc. of the Victims and Witnesses. It may be many years before the common identity is revealed and a trial begins. Prior to submission of the warrant, confirm/update all of the victim/witness information.

# SAN DIEGO COUNTY SHERIFF'S DEPARTMENT DETECTIVE PROCEDURES MANUAL

DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.4

**SUBJECT:**

SEARCH WARRANTS

G.4.1 Telephonic Search Warrants

Penal Code Section 1526, 1528 and 1534 allow a California peace officer to set forth their affidavit for a search warrant in oral form either by telephonic communication with the magistrate or by personal contact. The only requirement is that the affidavit be made under oath and recorded.

Telephonic search warrants will be issued only under the following circumstances:

- A. In an emergency prior to a search or arrest
- B. In the search of premises beyond the permissible scope of Chimel or other applicable subsequent case law if there is a real threat of possible destruction, disposal of or concealment of evidence.

The decision to seek a search warrant is made originally by the deputy. The decision should be made only after consultation with a supervisory officer. It should be based upon the situation presented, the existence of probable cause to arrest or search and a determination of need for a warrant.

Any magistrate may sign a search warrant.

DATE	SECTION	NUMBER
October 4, 2019	GENERAL CRIME INVESTIGATION	G.5

**SUBJECT:**  
SUSPECT IDENTITY

G.5.1 Photo Line-ups (PC 859.7)

A. In accordance with California law, all line ups shall be conducted with blind or blinded administration.

1. "Blind administration" means the administrator of an eyewitness line-up procedure does not know the identity of the suspect.
2. "Blinded administration" means the administrator of an eyewitness line-up procedure may know who the suspect is, but does not know where the suspect, or his or her photo, as applicable, has been placed or positioned in the line-up through the use of any of the following:

- a) An automated computer program that prevents the administrator from seeing which photos the eyewitness is viewing until after the line-up procedure is completed.
- b) The folder shuffle method, which refers to a system for conducting a photo line-up by placing photographs in folders, randomly numbering the folders, shuffling the folders, and then presenting the folders sequentially so that the administrator cannot see or track which photograph is being presented to the eyewitness until after the procedure is completed.

B. Any other procedure that achieves neutral administration and prevents the line-up administrator from knowing where the suspect or his or her photo, as applicable, has been placed or positioned in the line-up procedure.

C. The investigator shall state in writing the reason the presentation of the line-up was not conducted using blind administration, if applicable.

D. If an identification is made:

1. Record the date of identification
2. Identify all of the photographs used
3. Retain all photographs for possible future court use

E. If the pictures used in identification are not available, it may be difficult to convince a jury that an un-prejudicial attitude was maintained; and further, proof that a witness identified the defendant from a group of photographs is admissible with independent evidence on the issue of identity.

- F. Line-ups shall be constructed with individuals of the:
  - 1. Same race, gender and general age
  - 2. Similarities as to physical and general characteristics
  - 3. So the suspect does not stand out if possible
- G. Only one suspected perpetrator shall be included in any identification procedure.
- H. Block out or cover all visible notations. In particular: names, dates and other similar information should not be visible to witnesses. If it is necessary to block out or cover a notation on one photograph, then similar blocking out or covering marks should be placed on all photos so all will appear alike. It is considered overtly suggestive for one photograph to have marks that the other photos do not have and is therefore not a permitted practice.
- I. An electronic recording shall be made that includes both audio and visual representations of the identification line-up procedures. Whether it is feasible to make a recording with both audio and visual representations shall be determined on a case-by-case basis. When it is not feasible to make a recording with both audio and visual representations, audio recordings may be used. When audio recording without video recording is used, the investigator shall state in writing the reason that video recording was not feasible in the investigator's report.
- J. If the witness has not already provided a description of the suspect, have the witness provide a description of the suspect involved in the event before the line-up procedure takes place. This description should be detailed with particular descriptors such as tattoos, scars, unique features, manners of speaking, behaving or walking, tone of voice, etc.

This description shall be memorialized in the report. A report should be written indicating the results of the line-up process whether the witness was able to make identification or not.

- K. Witness Admonition: Prior to showing the photo line-up to a witness, the following Photo Line-up Admonition must be read to the witness. (For Live In-Custody Line-up procedures, refer to Detentions Services Bureau Manual of Policies and Procedures section I.49.)
  - 1. In a moment I am going to show you a sequence of photographs. This sequence of photographs may or may not contain a picture of the person who committed the crime now being investigated.
  - 2. The fact that the photographs are shown to you should not influence your judgment. You should not conclude or guess that the photographs necessarily contain the picture of the person who committed the crime.
  - 3. The fact photos are being shown to you should not cause you to believe or



guess that a guilty person has been caught.

4. You are not obligated nor should you feel compelled to identify anyone. It is just as important to free innocent persons from suspicion as to identify guilty parties.
5. An identification or failure to make identification will not end the investigation.
6. Do not discuss this case with other persons, nor indicate in any way that you have identified someone.
7. Keep in mind hairstyles, beards, and mustaches are easily changed. Also, photographs do not always depict the true complexion of a person; it may be lighter or darker than shown in the photo.
8. You should pay no attention to any markings or numbers that appear on the photos. Also, pay no attention to whether the photos are in color, or in black and white, or any other difference in the type or style of photographs. You should study only the person shown in each photograph.
9. Do not talk to anyone other than Sheriff's staff while viewing the photos. You must make up your own mind and not be influenced by other witnesses, if any.
10. When you have completed viewing all the photos, please tell me whether or not you can make identification. If you can, tell me in your own words how sure you are of your identification. Please do not indicate in any way to other witnesses that you have or have not made identification.

The Photo Lineup Admonition form [INV-9](#) shall be used to document the admonishment.

- A. Show the Photo Line-up: A separate line-up shall be created for each witness who participates in the line-up procedure. Each witness should view a separate line-up separately. Do not allow witnesses to talk to one another during the photo line-up procedure. Witnesses must not be allowed to consult with one another about their identification either before or after the line-up procedure.
- B. Information concerning the identified person shall not be given to the eyewitness prior or after obtaining the witness' statement of confidence level and documenting the exact words of the witness. Nothing shall be said to the eyewitness that might influence the eyewitness's identification of the person suspected as the perpetrator.
- C. The investigator shall immediately inquire as to the eyewitness' confidence level in the accuracy of the identification and record in writing, verbatim, what the

eyewitness says. Have each witness write their comments regarding the photograph s/he identifies. The comments should include anything that will assist the witness in recalling the identification in court. For example, the witness may write "The person shown in photo #2 is the man who robbed me." Then date, sign and initial the photo line-up. Do not allow a second witness to view the comments made by a prior witness even after the second witness has made identification.

- D. Do not validate or invalidate the witness' identification.
- E. Preserve all photographs and photo identification forms used in the photographic line-up for court. A copy should be made of any photo line-up that may be changed after the witness selects a photo. For example a selection made from a "Gang Book," which may be updated after the witness reviews it. In this case, the pages viewed by the witness should be immediately copied to preserve the pages reviewed by the witness during that photo line-up.
- F. Nothing in this section is intended to affect policies for field show up procedures. "Field show up" means a procedure in which a suspect is detained shortly after the commission of a crime and who, based on his or her appearance, his or her distance from the crime scene, or other circumstantial evidence, is suspected of having just committed a crime. In these situations, the victim or an eyewitness is brought to the scene of the detention and is asked if the detainee was the perpetrator.

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DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.6

**SUBJECT:**

SURVEILLANCE AND RAID TRAINING

G.6.1 Procedures

Surveillance and Raid Procedures will be given to each detective through In-Service Training.

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## DETECTIVE PROCEDURES MANUAL

DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.7
<b>SUBJECT:</b>		
ENTRY EQUIPMENT AND TRAINING		
<p>G.7.1 <u>Search/Arrest Warrants / Raids / High Risk Entries</u></p> <ul style="list-style-type: none"><li>A. Each detective will receive mandatory entry training upon their assignment to a detective unit. This training can be obtained during the Basic Investigation Class training offered by S.E.D. and On-The-Job-Training.</li><li>B. If the raid/high risk/warrant entry involves the potential involvement of weapons by the suspect(s), the operation should first be offered to S.E.D. for service. The determination as to whether to offer the service to S.E.D. will be determined after the case agent completes a Sheriff's Department High Risk Entry Checklist. If they decline to perform the entry, then the case agent/detective must plan the operation.</li><li>C. Each detective planning a raid/warrant service or high risk entry must complete an operations plan; form <a href="#">SO-101 High Risk Entry Checklist</a>.</li><li>D. This information must be reviewed and approved by the Investigations Supervisor or another supervisor in the absence of the Investigations Supervisor prior to service.</li><li>E. This information must be provided to team members just prior to the service at a unit briefing. Copies of the information are to be provided to each team member at the briefing and collected at the end of the briefing. The information should be included in the case agent's case file to maintain the information for court purposes.</li><li>F. There will be a supervisor present during the service of the warrant, preferably the investigative supervisor. However, in their absence either the patrol lieutenant, patrol supervisor or acting investigative supervisor should be present.</li><li>G. Upon completion of the warrant service, a debriefing will be conducted to review the incident. This debriefing should be used to evaluate the tactics used, statements obtained, evidence collected and to ensure that all areas of the investigation were completed.</li><li>H. The on scene supervisor will ensure that all members involved in the warrant service wear proper high visibility attire identifying them as law enforcement personnel and also wear their body armor.</li></ul>		

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DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.8

**SUBJECT:**

TELETYPES

G.8.1 Teletype Procedures

Teletype procedures will be instructed by the Communications Center through the In-Service Training Program.

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## DETECTIVE OPERATIONAL MANUAL

DATE	SECTION	NUMBER
Oct. 27, 2016	GENERAL CRIME INVESTIGATION	G.9
<b>SUBJECT:</b>		
DETECTIVE CALL-OUTS		
<p>G.9.1 <u>Purpose</u> To establish a uniform Detective Call Out Procedure.</p> <p>G.9.2 <u>On-call Period</u> Each station in Law Enforcement Operations Bureau shall determine a reasonable number of detectives to be on call and the duration of the on call period.</p> <p>G.9.3 <u>Case Assignment Procedure</u> Station Area Detectives will investigate all Call-out cases originating within the jurisdiction of that station except for those cases specified in Department Policy &amp; Procedures to be investigated by other specialized units.</p> <p>G.9.4 <u>On-Scene Investigation</u> Relatively few of the total cases investigated by Area Detectives will require the on-scene examination of a detective. However, the circumstances of certain cases will require that a detective respond to the scene to immediately begin the investigation. When practical, the Area Detectives will interview arrestees to obtain more detailed information related to the crime in an effort to identify connected crime trends. The conditions are covered as follows:</p> <ul style="list-style-type: none"><li>A. The crime scene requires a more detailed examination than the patrol deputy is capable of conducting because of time constraints or scene or crime complexity.</li><li>B. The immediate commencement of an investigation is essential to the successful solution of the case, or where a delay would increase a citizen's peril or would result in the destruction of the crime scene.</li><li>C. Where there is reason to believe the suspect may have information that may be vital to investigation of other criminal cases</li><li>D. The deputy at the scene and the patrol supervisor specifically requests the presence and the assistance of a detective.</li></ul> <p>G.9.5 <u>Call Out Authorization</u> The on call detective shall respond to a request for assistance when specifically requested by a patrol supervisor, or in the absence of a supervisor, the deputy at the scene. When in doubt as to the necessity of calling a detective to the scene, the field supervisor or deputy at the scene is</p>		

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## DETECTIVE OPERATIONAL MANUAL

encouraged to discuss the circumstances with the on call detective supervisor who will assist in making that decision.

### G.9.6 Major Case Call Outs

In major cases, the investigative supervisor will determine the number of investigators that will respond after discussing the case with the field supervisor.

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DATE	SECTION	NUMBER
Jan. 27, 2006	GENERAL CRIME INVESTIGATION	G.10

**SUBJECT:**

INTER-AGENCY INVESTIGATIONS

G.10.1 Purpose

To maintain effective communication and coordination between divisions or agencies involved in combined investigative/law enforcement efforts.

G.10.2 Inform Supervisors

Detectives will keep their supervisors apprised of any investigation which actively involve personnel from another area, division or agency.

- A. Detectives will keep their supervisors informed of any changes as they occur in the status of any such operations.
- B. If the detective's supervisor cannot be contacted, the Communications Center Watch Commander, or nearest field supervisor, (if within Sheriff's jurisdiction) is to be notified as soon as practical.
- C. Upon being notified of a situation involving multi-area or agency personnel, the detective sergeant will determine if personal response to the scene or the presence of a field supervisor is needed.
- D. Although the presence of a supervisor will not always be necessary, the detective sergeant should bear in mind that supervisor response would be utilized, and may be needed, to protect the objectives and interests of this Department.
- E. The detective sergeant will be notified of all narcotics related investigations. The detective sergeant will communicate with a Narcotics Investigations Supervisor to provide information and/or advice for the investigation. This exchange will preclude dual investigations and prepare the investigators should hazardous conditions exist.

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DATE	SECTION	NUMBER
Jan. 27, 2006	SPECIFIC CRIME INVESTIGATION	H.1

**SUBJECT:**

SPECIALIZED INVESTIGATION

H.1.1 Introduction

This section is intended to assist in specialized types of investigations that are conducted by the area investigator, but require specialized and detailed investigation. Subject matter is not intended to be all encompassing, but rather a guideline as each case may vary.

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DATE	SECTION	NUMBER
Dec. 26, 2011	SPECIFIC CRIME INVESTIGATION	H.2

**SUBJECT:**

AUTO THEFT

## H.2.1 Stolen Vehicle Report

A report should be initiated by the registered owner or legal owner of the vehicle at the time of the theft. However, a party who had been in lawful possession of a vehicle may also file a theft report. If reported by a third party, the patrol deputy should attempt to contact the registered owner prior to completing the report. In cases where the registered owner cannot be contacted, the report should be completed prior to the deputy going off duty. This should not delay the entry of the vehicle into the Stolen Vehicle System (SVS).

### AUTO THEFT INVESTIGATOR

## H.2.2 Case Assignment

- A. All stolen vehicle/vessel reports should be immediately forwarded to the station Auto Theft Investigator.
- B. The Auto Theft Investigator shall check reports for inclusion of all pertinent information e.g., registered owner, legal owner, telephone numbers, insurance carrier, etc.
- C. To obtain missing information
  1. License and VIN number - have reporting party check insurance policy, bill of sale, gas receipt, etc. Check DMV Sacramento Registration Unit for any vehicle registered to victim.
  2. License or VIN number - teletype query of one to obtain other.
  3. Miscellaneous Information - contact reporting party.
- D. Verify correct entry into Stolen Vehicle System (SVS) when you receive teletype entry work sheet (IN). Attach copy of "want" teletype to the report for reference.
- E. System entry

Check teletype for SVS entry, if not entered, make proper entry.
- F. Record all pertinent information into the Auto Theft Assignment Record indicating that the vehicle is in SVS along with date queries.

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### AUTO THEFT RECOVERIES

#### H.2.3 Recovered Vehicle Report - Sheriff's Recovered Vehicles

- A. All recovered stolen vehicle reports will immediately be forwarded to the recovering station's Auto Theft Detective(s) for review and processing. The processing will minimally include verifying that the vehicle has been removed from the Stolen Vehicle System (SVS) and that any missing plates are still entered; contact National Insurance Crime Bureau (NICB) and, with the use of the Vehicle Identification Number (VIN), obtain available serial numbers of any missing major components (engines and transmissions, etc.) and make sure those numbers are entered into the system as stolen.

The Auto Theft Detective at the station where the recovery is made will be responsible for any follow-up investigation into the recovery or the original theft. The Auto Theft Detective will attach a copy of the recovered stolen vehicle report to the original Auto Theft report if it is from the same station. A copy of the Recovered stolen Vehicle report should be mailed to the station or agency who reports the vehicle as stolen.

- B. Once the "OUT" has been checked for accuracy, it may be disposed of; however, a copy of the recovery teletype or a DMV printout showing the vehicle has been recovered must be attached to the report for reference. The Auto Theft Detective should not rely on this as proof that the vehicle was removed from SVS.
- C. Notifications: On both Sheriff and outside agency recovered stolen vehicles; the recovering station's Auto Theft Detective shall notify the registered or legal owner that the vehicle has been recovered, its condition and the location where the vehicle is being stored. This may be accomplished by telephone. Written notification using the Notice of Stored Vehicle will be mailed by the Auto Theft Detective or appropriate designee. It is the responsibility of the recovering stations Auto Theft Detective or designee to notify the registered and legal owners of the recovery of the vehicle within 24 hours. This will ensure compliance with CVC section 10500 and 22852.

In the case of outlying/rural offices, where impound/recovery reports are routinely forwarded to a major station for processing, personnel from the outlying/rural offices will assure that the Notice of Stored Vehicle is mailed to the registered owner and legal owner.

The towing company will provide the deputy with a copy of the San Diego Sheriff's Department approved tow form at the time the vehicle is stored. A copy of this form will be scanned and attached within the case folder.

- D. The Auto Theft Detective Assigned to the recovery will be responsible for processing the vehicle for any evidence not collected by patrol. Latent

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prints and any other evidence obtained, including the modus operandi (M.O.), should be noted in the follow-up investigative report.

This procedure is flexible and is governed by the location of recovery, time element, conditions of vehicle, weather conditions, and overall circumstance surrounding the theft and recovery.

1. Suspect in custody: When the Auto Theft Detective receives an in-custody case; they will review the arrest report. Then compile any necessary follow-up investigation and obtain the stolen report if none on file, etc., to insure the District Attorney or Juvenile Probation has a complete case for issuing a complaint.
  2. Out of State: The Auto Theft Detective will act as liaison between the out of state agency and the District Attorney's Office to initiate extradition procedures as needed.
- E. Record recovery information in the Auto Theft Assignment Record.
- F. When needed, the Auto Theft Detective will complete a follow-up investigative report, indicating the case is suspended, closed by arrest, unfounded or no prosecution. As necessary, forward complete case to District Attorney or Juvenile Probation (arrest report or request for arrest warrant).

### AUTO THEFT RECOVERIES

#### H.2.4 Vehicle Recovered / Reported Stolen by Outside Agency

- A. All recovered stolen vehicle reports where the vehicle was reported stolen by an outside agency, will immediately be forwarded to the recovering station's Auto Theft Detective(s) for review and processing. The Auto Theft Detective from the recovering station will process these vehicles in the same manner as those reported stolen by the Sheriff's Department (Section H.2.3.A). In addition, the Auto Theft Detective or their designee will obtain a copy of the outside agency's original stolen vehicle report. They will also forward a copy of the recovery report to the outside agency if requested.
- B. The Auto Theft Detective or their designee will record the recovery information on the Auto Theft Assignment Record and place the auto theft report copy in the file. They will also obtain a DMV printout on the recovered vehicle showing that it has been removed from the Stolen Vehicle System (SVS)
- C. Suspects in custody: When the Auto Theft Detective receives an in-custody case where the original theft report was taken by an outside agency, they will review the arrest reports and conduct any necessary follow-up investigation e.g., process vehicle for prints, obtain the outside agency's stolen report, etc. to ensure that the District Attorney or Juvenile

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Probation has a complete case for issuing a complaint.

### H.2.5 Vehicle VIN Verifications

VIN Verifications shall be conducted by the station assigned Auto Theft Detective. In areas where there is no Auto Theft Detective available, the citizen should be directed to the CHP.

### STORED/IMPOUNDED VEHICLE PROCEDURES

### H.2.6 Stored / Impounded Vehicle Report:

- A. All stored vehicle reports will be processed by the Traffic Division Clerk or an assigned office clerk. All impounded vehicle reports relating to traffic matters e.g., hold for hit and run investigator or an assigned traffic deputy. All impounded vehicle reports (those with a hold) relating to auto theft or other crimes, and all vehicles impounded with a hold by patrol deputies will be immediately forwarded to the Auto Theft Detective for processing. There may be some exceptions, such as cases being handled by detectives from Homicide, Child Abuse, etc. A. All stored vehicle reports will immediately be forwarded to the Traffic Division or the assigned clerk.
- B. The assigned clerk will check the report to be sure it includes all pertinent information e.g., towing/storage authority, location of occurrence, completeness of registered and legal owner information etc. If the report does not include all of the necessary information, it will be returned to the reporting deputy's sergeant. If the notifications can be made with the information available, they should be made prior to returning the report.
- C. If the vehicle was towed for current registration fees due, the yellow copy should be stamped or marked with "PROOF OF CURRENT REGISTRATION REQUIRED", (this has been requested by the contract tow companies) and mail it to the legal owner. Mail the pink copy to the legal owner if different from the registered owner.
- D. Record all pertinent information into the Traffic Division Stored/Impound Tow Log or into the Auto Theft Log as appropriate.
- E. The aforementioned notification of storage to the registered owners, legal owners and storage agent, is required by and contained in section 22852 of the California Vehicle Code which states notification must be personally delivered or mailed within 48 hours.
- F. Vehicles Released from Impound
  1. A traffic deputy or other investigators responsible for placing traffic related holds on a vehicle shall be responsible for releasing that hold with

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the tow company. After releasing the hold, the releasing official shall immediately notify the registered owner that their vehicle is no longer needed by this department.

2. The Auto Theft Detective, or Case Agent, shall be responsible for all other holds, including all holds initiated by patrol deputies.

THE NOTIFICATION IN BOTH CASES WILL BE AS FOLLOWS:

The releasing deputy or designee will mail a copy of the Notice of Stored Vehicle form to the vehicle's registered owner. The face of this form shall be boldly marked as follows:

HOLD RELEASED ON \_\_\_\_\_(DATE)  
VEHICLE READY FOR PICK-UP.

PHONE NOTIFICATION: \_\_\_ YES \_\_\_\_\_(DATE)  
                                  \_\_\_ ATT \_\_\_\_\_(DATE)

If this form is not completed by the Auto Theft Detective, a copy will be forwarded to them.

3. POST Seizure Hearing: Refer to Department P&P [Section 6.60](#) and [CVC Section 22852](#).
- G. The following teletypes that are sent to other agencies/SVS will be accomplished by Sheriff's Teletype.
1. Recovered Vehicle teletype
    - a. Repossessed Vehicle teletype
  2. Status of vehicle: storage, impound and evidence.
  3. Recovered SDSO stolen
    - a. Removal of vehicle from SVS
    - b. Administrative message of locate to Auto Theft Detective at the originating station
    - c. Message of repossessed vehicle
    - d. Entry of stolen (for SVS entry formats, refer to CLETS SVS Manual)
    - e. Administrative Teletype to other agencies: DMV, DOJ

### H. VESSEL REPORTS

Stolen/Recovered/Stored/Impounded Vessels: Vessels will follow the same procedures as vehicles. They will be documented on an Impound Report and the Noticed of Stored Vessel will be used in the same manner as the Notice of Stored Vehicle.

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DATE	SECTION	NUMBER
August 31, 2021	SPECIFIC CRIME INVESTIGATION	H.3

**SUBJECT:**

Section removed.



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DATE	SECTION	NUMBER
Dec. 26, 2011	SPECIFIC CRIME INVESTIGATION	H.4

**SUBJECT:**

INVESTIGATION OF HATE CRIME

H.4.1 Hate Crimes

The proper investigation of crimes based on racial, religious, ethnic, gender or sexual orientation is the responsibility of all sworn members of the Sheriff's Department.

The investigative and enforcement elements of the Sheriff's Department will be brought into quick action following any and all reported or observed incidents classified as hate or bias crimes. There is to be special emphasis placed on victim assistance and community cooperation in order to reduce victim/community trauma or fear.

It must be remembered that the actions taken by this department in dealing with incidents of racial, religious, ethnic, gender, bias or sexual orientation are visible signs of concern and commitment to the community on the part of San Diego County Government and the Sheriff's Department.

H.4.2 Definition

A. A HATE or BIAS crime is defined as "Any act of intimidation, harassment, physical force, or threat of physical force directed against any person, or family or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability or sexual orientation with the intention of causing fear or intimidation, or to deter the free exercise or enjoyment of any rights or privileges secured by the Constitution or the laws of the United States or the State of California whether or not performed under the color of the law."

B. BIAS is defined as a performed negative opinion or attitude toward a group of persons based on their race, religion, disability, ethnicity/national origin, or sexual orientation.

H.4.3 Bias Motivation

An important distinction must be made when reporting a hate crime. The mere fact that the offender is biased against the victim's race, religion, disability, sexual orientation, and/or ethnicity/national origin does not mean that a hate crime was involved. Rather, the offender's criminal act must have been motivated, in whole or in part, by his/her bias.

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Because motivation is subjective, it is difficult to know with certainty whether a crime was the result of the offender's bias. Therefore, before an incident can be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

#### H.4.4 Procedure

Whenever a deputy receives information or is dispatched to investigate a suspected hate crime, the deputy will use the following procedure.

##### A. Investigative Supervisor shall:

1. Maintain contact with community leaders concerning the process of the investigation (i.e., San Diego County Human Relations Commission, Heartland Human Relations Commission, etc.).
2. Assure the victims and other concerned parties are informed of the case status.
3. Assure the case is properly investigated and presented to the District Attorney for prosecution.
4. If requested by a Field Supervisor, on-call investigative personnel shall respond to the scene of any cross burning or any other racially, religiously, or technically motivated destruction of property and shall assist the patrol personnel as applicable.

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DATE	SECTION	NUMBER
Oct, 27, 2016	SPECIFIC CRIME INVESTIGATION	H.5

**SUBJECT:**

STATION 290 REGISTRANT PROCEDURE

H.5.1 Procedures

- A. Each command shall designate a deputy as the Station 290 Coordinator and an alternate Station 290 Coordinator. The Station 290 Coordinators are responsible to monitor all known 290 registrants who reside within their command area for compliance in accordance with Penal Code Section 290. The Station 290 Coordinators should be familiar with the laws and registration requirements for sex offenders and liaison with the Sheriff's Licensing Division, Sex Offender Management Unit, District Attorney's Office, California Department of Justice, and any law enforcement agency as needed.
- B. The Station 290 Coordinators will request access to the Regional Registrant System and California Sex & Arson Registry (CSAR) database systems via the Helpdesk. Upon assignment the Station 290 Coordinators will immediately seek training from the Sex Offender Management Unit investigators on these systems in addition to their investigative responsibilities.
- C. Each Station 290 Coordinator should audit every 290 within their command at least once a year. This can be accomplished through a planned command audit operation, coordinated with the Sex Offender Management Unit, or can be accomplished at the discretion of the Station 290 Coordinator. All original audit forms shall be forwarded to the Sex Offender Management Unit for review and placement into the sex offender's main file in Licensing Division. The Sex Offender Management Unit will be notified immediately if any 290 is suspected of being out of compliance.
- D. The Station 290 Coordinators will utilize the Regional Registrant System's reports on Registrants by Command, Out of Compliance, CSAR, and or the Megan's Law (LE Application) website to remain current on the status of all registrants in their command. A station file may be maintained on each 290 registrant who resides within their command, provided the file is updated to reflect the current information in the Regional Registrant System. The file should include a recent copy of the Regional Registrant System Master Summary Report, listing the registrant's essential information, as well as other important information such as parole/probation/4th waiver status.
- E. When a registrant is contacted by station personnel for any reason, a Field Interview Report should be completed and forwarded to the Station 290 Coordinator. The Station 290 Coordinator will forward the information to the Sex Offender Management Unit for entry in the registrant's file.

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F. If possible, prior to making an arrest for a 290 violation, contact the on-call Sex Offender Management Unit detective for guidance. Due to the complexity of sex offender registration requirements, backlogged California DOJ assessments on out-of-state offenders, juvenile convictions, and District Attorney issuing criteria, additional follow-up may be necessary to develop probable cause. If an arrest is made, the investigative package for the District Attorney must contain at a minimum a certified copy of the registrant's last registration form, whether from California or any other state, and the offender's criminal history report. Additional documents such as a copy of the subject's current rental lease or utility bill in his/her name to establish residency may be necessary. The Sex Offender Management Unit detective can assist in obtaining the necessary documents.

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DATE	SECTION	NUMBER
Dec. 17, 2009	SPECIFIC CRIME INVESTIGATION	H.6

**SUBJECT:**

**AUTOMATED FIREARM SYSTEM ENTRY**

H.6.1 Automated Firearms System Entries

A. Firearms Computer Entry

1. There are currently twelve potential computer entries available for firearms via the Sheriff's Teletype System.

- a. Cancel
- b. Evidence
- c. Found
- d. Institutional Registration
- e. Lost
- f. Located/Recovered
- g. Stolen
- h. Under Observation
- i. Retained Official Use
- j. Destroyed
- k. Crime gun
- l. Safekeeping

2. The twelve definitions are:

- a. Cancel – To delete a record from AFS. Only the originating agency or DOJ can cancel a record. This task will be performed by the Crime Lab or Records Division personnel only.
- b. Evidence - collected as evidence (If the firearm was used in a crime, you must use "Crime Gun").
- c. Found - firearms that were originally entered as being lost. It does not apply to recovered/stolen firearms.
- d. Institutional Registration - A firearm that is purchased by the entering agency.
- e. Lost - any misplaced or lost firearm not reported stolen.
- f. Located/Recovered - Any firearm recovered that was entered as stolen or lost.
- g. Stolen - any firearm illegally taken or removed from the person or property of another and reported stolen on a crime report.
- h. Under Observation - A firearm that is of special interest to an agency

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but it is not in their possession.

- i. Retained Official Use - A firearm that has been retained by an agency for official use. Penal Code Section 12030 permits law enforcement agencies to retain firearms for use rather than destroy them. These firearms must be entered in AFS to be in compliance with the law.
- j. Destroyed - A firearm that has been destroyed by the entering agency.
- k. **Crime Gun** - A firearm that is illegally possessed; used in a crime or suspected to be used in a crime. Also a firearm that has an obliterated serial number; has been associated with a suicide or an attempted suicide.
- l. Safekeeping - kept for safekeeping until the legal owner can reclaim their firearm(s).