

**ALBUQUERQUE POLICE DEPARTMENT**  
**\* PROCEDURAL ORDERS\***

Effective: 09/24/2007; Replaces: 08/23/2005  
07-POR13

**2-28**                    **INVESTIGATION OF VIOLENT CRIMES**  
[7]

**POLICY:**

Department policy is to investigate all violent crimes within the city of Albuquerque.

**RULES AND PROCEDURES:**

**2-28-1**                    **CRIMINAL INVESTIGATIONS, VIOLENT CRIMES SECTION**

It is the responsibility of the Criminal Investigations Division, Violent Crimes Section to investigate all cases of homicide, unexplained death, questionable suicide, aggravated battery which could result in death, police shootings, armed robberies, strong-armed robberies, carjacking, criminal sexual penetration, felony stalking or cases deemed necessary by the Chief of Police. The appropriate Violent Crimes investigator and Criminalistics personnel will be notified and will assume responsibility for the investigation, upon arrival.

**2-28-2**                    **DUTIES OF ASSIGNED PERSONNEL**

**A.**        The Dispatched Field Services officer will:

1.        Render assistance to the injured.
2.        Determine jurisdiction and have the appropriate agency notified if the crime scene is outside the city limits.
3.        If the case is turned over to another agency, supply the agency with a list of all officers who were at the scene.
4.        Ensure that a supervisor and field investigator are dispatched to the scene.
5.        Request sufficient assistance to accomplish the assigned tasks.
6.        Identify and isolate victims, suspects, and witnesses.
7.        When possible, canvass areas to identify potential witnesses prior to Violent Crimes or Criminalistics arrival.
8.        Be responsible for the crime scene until relieved by the dispatched field investigator or appropriate outside
9.        Write the primary offense report, to include a supplementary report containing the names of all civilians and officers, regardless of rank, present at the scene and what tasks, if any, were assigned to them.
10.      Not leave the scene or transport anyone until directed to do so by the Violent Crimes/Criminalistics supervisor or detective at the crime scene, if they are called to the scene.

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11. Not notify Superior Ambulance in the cases of apparent natural deaths and suicides, as this is the responsibility of the Office of the Medical Investigator.

**B. The Field Investigator Will:**

1. Respond to all reports of unattended or unnatural deaths and reports of serious injury.
2. Have initial authority over the crime scene, and make the determination to call-out Violent Crimes personnel and Criminalistics personnel. The Field Investigator will confer with a Field Services supervisor and medical personnel to make the determination of the call-out.
3. In all cases where Criminalistics is not called, be responsible for:
  - a. Photographing the crime scene and documenting the collection of evidence at the crime scene.
  - b. Requesting the proper analysis of evidence and processing of photographs by Criminalistics.
4. In cases where Criminalistics is summoned, the field investigator will:
  - a. Identify and secure the outer boundaries of the crime scene.
  - b. Photograph surrounding vehicles and persons at the crime scene without entering the secured area.
  - c. Photograph items that may be disturbed or destroyed prior to the arrival of Criminalistics.

**C. The Dispatched Supervisor will:**

1. Respond to all reports of unattended or unnatural death, and reports of serious injury.
2. Assign a sufficient number of officers to ensure the security of the crime scene, and that victims, suspects, and witnesses are identified and isolated.
3. Ensure that personnel at the crime scene are limited to those necessary to the investigation, and that everyone assigned to the investigation, regardless of rank, submits a report.
4. Assign personnel to canvass the area for witnesses, utilizing PD Form 1384, Homicide Canvass Questionnaire.
5. Assign a field investigator to the hospital to identify and collect pertinent information and evidence from victims or offenders.
6. Determine if additional specialized units are required, including Violent Crimes, Criminalistics, Internal Affairs, or Risk Management Division.

In the event that a field investigator's supervisor is present at the scene, it will be his/her responsibility to determine what specialized units are required.

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7. Ensure notification of the Office of the Medical Investigator in all cases of unattended death.
8. Remain at the crime scene until relieved by the Violent Crimes or the Criminalistics supervisor, if they are called to the scene.
9. Ensure that the field investigator dispatched is given full cooperation by Field Services units.
10. Ensure notification of the next of kin as soon as possible after identification of the victim/body is made. If the case is assigned to a homicide detective, before notification is made, the responsibility for notification shall pass to that detective. The Chaplain may assist with the notification. The supervisor will ensure documentation is provided of the notification or of the reason it was not done in a supplementary report to include whom, when, and where the notification was made.

D. Homicide Detective:

1. Shall assume responsibility for all phases of the investigation, with the exception of processing the scene and the collection of evidence.
2. Will cooperate with the Internal Affairs investigators when they are present. Where there is an overlap in the investigation, the criminal investigation will have priority.
3. Will ensure notification of the next of kin as soon as possible. The homicide detective shall provide documentation of the notification or the reason it was not done in a supplementary report to include whom, when, and where the notification was made.
4. Will, as soon as possible, initiate a debriefing with Criminalistics and Violent Crimes personnel, prior to leaving the scene to discuss the necessity of evidence examination or additional investigation needed for case completion.

E. Criminalistics Personnel will:

1. When summoned, be in sole charge of collecting and processing evidence over all officers present. In the event Violent Crimes personnel are summoned, the Criminalistics detective shall not disturb the scene until the Violent Crimes investigators arrive.
2. Be responsible for establishing a command post location. When further assistance is needed in processing the scene, Criminalistics personnel shall request it from the Field Services supervisor.
3. As soon as possible, initiate a briefing with Criminalistics personnel and Violent Crimes personnel to discuss the necessity of evidence examination or additional investigation needed for the case.

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2-28-3      APPARENT NATURAL DEATH

For all apparent natural death calls except calls where a death occurs in a hospital or nursing home:

- A.      Communications will:
  - 1.      Dispatch a Field Services officer and a field investigator.
  - 2.      Notify the appropriate sergeant.
  - 3.      Notify the Office of the Medical Investigator (OMI).
  
- B.      The Dispatched Officer(s) will:
  - 1.      Check the body for signs of life.
  - 2.      Investigate the incident and complete the incident report, and the Apparent Natural Death Worksheet (PD3066). If the OMI Investigator is not coming to the scene, the dispatched officer and the field investigator will conduct a thorough examination of the body for signs of violence. This may be done with the assistance of rescue personnel if they are present at the scene. Thorough examination of decomposed bodies will be the responsibility of the OMI.
  - 3.      Attempt to contact the deceased's physician if it is known that the deceased was under a doctor's care. The dispatched officer will also contact the OMI and advise that office of the results of the investigation and the contents of the Apparent Natural Death Worksheet.
  - 4.      Be responsible for contacting the next of kin of the deceased and recording the contact in the incident report. The officer will only make death notification accompanied by a Chaplain or another officer.
  
- C.      The Field Investigator will:
  - 1.      Take preliminary photographs of the scene and search for evidence, as appropriate.
  - 2.      Be responsible for collecting evidence at the scene and tagging it into the Evidence Unit.

[6]      D.      The Crimes Against Children Unit will:

Be contacted and will assume investigative responsibility for all apparent S.I.D.S. cases or child deaths that appear to have occurred accidentally.

2-28-4      SUICIDE

For all suicides that are not of a suspicious nature:

- A.      The Dispatched Officer will:

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1. Request that the Office of the Medical Investigator respond to the scene.
2. Conduct a comprehensive investigation to clearly prove that the death was a suicide.
3. Take statements, if witnesses are present.
4. Conduct an investigation to determine a motive for the suicide by contacting family, friends, employer, etc.
5. Be responsible for the crime scene and the investigation.
6. Notify the next of kin if they are not present at the scene accompanied by a Chaplain or another officer. The investigating officer will contact the family as soon as possible and explain the circumstances of the suicide to them. The investigating officer will provide the family with his/her name, work number, and working hours, so that follow-up contacts can be facilitated.
7. Contact the Office of the Medical Investigator within forty-eight hours to debrief and/or determine if further investigation is necessary.
8. After determining that the death is a suicide, make arrangements with the Evidence Unit for the release of any evidence to the family.

B. The Field Investigator:

Will be responsible for the collection and preservation of evidence, and for requesting evidence analysis by Criminalistics. The dispatched officer may request that the field investigator collect any other evidence that may be pertinent to the investigation.

C. The Dispatched Supervisor:

Will ensure that the investigation is comprehensive and complete.

2-28-5 ROBBERY

The Armed Robbery Unit, violent crimes investigator will have case and investigative responsibility for all robbery cases.

- A. The on-call Armed Robbery detective will be notified any time a robbery offender/suspect is taken into custody.
- B. It is the responsibility of the Field Services supervisor to ensure the proper notification of investigative personnel and that all officers involved complete their reports and submit them in a timely manner.

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**2-28-6 CRIMINAL SEXUAL PENETRATION (CSP)**

The Criminal Investigations will take investigative responsibility for all criminal sexual penetration, and attempted criminal sexual penetration cases.

- A. Attempted Criminal Sexual Penetration (CSP) is defined as – An overt action and/or statement that demonstrates an intent to commit Criminal Sexual Penetration. An overt action will be described as the removal of clothing by force or coercion, and penetration is attempted. A statement alone is not considered to be an attempted CSP.
- B. The Crimes Against Children Unit will have investigative responsibility when a child less than 13 years of age is the victim of a criminal sexual penetration (refer to section 2-33 in this manual). In addition, the Crimes Against Children Unit will have investigative responsibility when the victim(s) is 13 years of age or older and the suspect is a parent, guardian, or other family member.
- C. If a CSP offender is in custody, or his whereabouts can be established, the on-call sex crimes detective will be notified at the time of the incident and the detective will assume responsibility for the case and the subsequent investigation.
- D. It is the responsibility of the field supervisor to ensure that the Sex Crimes Unit is notified regarding any in-custody offenders and that all officers involved in the initial investigation complete their reports and submit them in a timely manner.
- E. In non-custody cases, the field officer will take a complete initial report and ensure that evidence is collected. A field investigator will be called to collect all evidence and photograph injuries the victim may have received. A copy of the report will then be forwarded to the Sex Crimes Unit for follow-up. This should be done by the end of the field officer's shift.
- F. Due to the sensitive nature of criminal sexual penetration cases, and the specific questions asked of the victims in order to establish the elements of this crime, only Sex Crimes Unit personnel will obtain formal written statements from the victim and/or the offender. The only exception will be if the Sex Crimes on-call detective or unit supervisor is contacted, apprised of the circumstances, and approves that a statement be taken immediately.
- G. The Field Services officer will transport or arrange transportation for the victim to a health facility, in order for a sexual assault kit or treatment to be administered. If the victim refuses transportation or arranges their own, it will noted in the original offense report.

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**2-28-7      INVESTIGATION OF ALL OTHER SEX CRIMES**

- A. Unless special circumstances exist, all other sex crimes cases including attempted CSP will remain the responsibility of the reporting officer. The Sex Crimes Unit will be available to Field Services personnel for assistance on other sex crimes cases.
- B. The Crimes Against Children Unit will be notified and assume case responsibility of all allegations of child sexual abuse if the initial investigation reveals multiple victims, regardless of the victim's current age.
- C. Investigation of felony criminal sexual contact of a minor, age thirteen through seventeen, will be the responsibility of the appropriate area command impact team, unless the offender is an immediate family member.

**2-28-8      INVESTIGATION OF COLD CASE HOMICIDES**

The Cold Case Unit will maintain and follow up all Cold Cases. Cold Case Homicide Detectives will have investigative responsibility for all unsolved murders that are at least one year old from the time of the initial investigation in which all investigative leads have been exhausted by the principal investigator or at the request of a Violent Crimes Supervisor.

**2-28-9      INVESTIGATION OF DOMESTIC VIOLENCE AND STALKING**

**The FASTT Unit specializes in the investigation of continuing and escalating forms of domestic violence and stalking, as well as providing specialized training to department personnel. The Unit's goal is to reduce or eliminate domestic-related homicides, chronic and repeat abuse, and/or other related offenses. The Unit will reduce or eliminate these crimes through early intervention, conducting investigations resulting in criminal prosecution, providing assistance to victims and/or provide training to department personnel.**