

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

July 14, 2015

Policy Number 4.29

CRIME SCENE: INVESTIGATIVE RESPONSIBILITIES AND PROCEDURES

POLICY

Officers of the Honolulu Police Department shall be guided by this directive regarding investigative responsibilities and procedures for crime scenes and for the investigation of death cases and certain specific crimes. Basic support units (BSUs) and technical support units (TSUs) are as designated herein.

PROCEDURE

I. BSUS

A. Criminal Investigation Division (CID)

1. The CID shall be responsible for investigating the following:
 - a. All felonies, exclusive of those that are specifically designated for other divisions as listed in section II of this directive;
 - b. Cases involving missing persons, escapees, and prison contraband;
 - c. All family abuse (child, spouse, and elderly abuse), custodial interference, and endangering the welfare of a minor cases; and
 - d. All misdemeanor Prohibited Firearms/ Ammunition cases.
2. The CID shall dispatch a detective(s) to the scene of a major or unusual crime.

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3. If an incident occurs outside of normal duty hours, the on-duty CID lieutenant shall be responsible for notifying the on-call Professional Standards Office (PSO) lieutenant of any cases that are within the jurisdiction of the PSO as listed in section I H of this directive.
4. In incidents where a departmental employee is the accused, the CID shall assist the PSO's Criminal Investigation Section upon request.
5. In human death cases, except for those resulting from motor vehicle collisions in which a departmental employee is a suspect, the Homicide Detail, CID, shall assist the PSO's Criminal Investigation Section upon request.

B. Patrol District Burglary-Theft Detail

1. A patrol district's Burglary-Theft Detail is responsible for investigating crimes of burglary (including vehicles taken in burglaries), theft, Unauthorized Entry into a Motor Vehicle in the First Degree, Criminal Property Damage in the First and Second Degree in the district, including cases where an arrest has not been made. The exceptions are those cases where property crime is not a motive.
2. Monday through Friday between 0745 to 1530 hours, excluding holidays, a patrol district's Burglary-Theft Detail where the case occurred is responsible for investigating all arrests for crimes of burglary, theft, Unauthorized Entry into a Motor Vehicle in the First Degree, Criminal Property Damage in the First and Second Degree, Unauthorized Control of a Propelled Vehicle in the First Degree and Second Degree in which a vehicle was taken in a burglary, and Habitual Property Crime offenses in the district. The exceptions are those cases where property crime is not a motive.

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3. When an Unauthorized Possession of Confidential Personal Information, a Fraudulent Use of Credit Card, and/or Forgery occurs, it shall be the investigative responsibility of the CID's Financial Crimes Detail.

C. Patrol District Misdemeanor Follow-up Detail (MFUD)

The patrol district's MFUD or misdemeanor follow-up officer shall be responsible for investigating all misdemeanor and status offenses in each district, with the following exceptions:

1. Theft cases are investigated by the burglary-theft detail;
2. Abuse of Family or Household Members (AFHM) cases, as outlined by Section 709-906, Hawaii Revised Statutes (HRS), are investigated by the following CID details:
 - a. The Domestic Violence Detail, when the AFHM case involves the following:
 - (1) Victim of the domestic violence is 18 years of age or older; or
 - (2) Endangering the welfare of an incompetent person, 18 years of age or older, as outlined in Section 709-905, HRS.
 - b. The Child Abuse Detail, when the AFHM case involves the following:
 - (1) Victim is under 18 years of age;
 - (2) Endangering the Welfare of an Incompetent Person, under 18 years of age, as outlined in Section 709-905, HRS;
 - (3) Endangering the Welfare of a Minor; or
 - (4) Custodial Interference.

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3. Traffic offenses are investigated by the Vehicular Homicide Section (VHS) of the Traffic Division;
4. Narcotics offenses are investigated by the Narcotics/Vice Division;
5. Sex assault in the fourth degree, indecent exposure, and open lewdness offenses are investigated by the Sex Crimes Detail of the CID;
6. Arson and explosive device cases are investigated by the Major Crimes Detail of the CID;
7. Misdemeanor cases that are part of a felony investigation shall be the responsibility of the assigned felony investigative unit;
8. All credit card offenses are investigated by the Financial Crimes Detail of the CID; and
9. Computer-related offenses related to sexual offenses are investigated by the Sex Crimes Detail of the CID.

D. Narcotics/Vice Division

The Narcotics/Vice Division shall be responsible for investigating narcotics, gambling, and morals offenses. In narcotics, gambling, and morals cases involving a departmental employee, the Narcotics/Vice Division shall assist the PSO's Criminal Investigation Section upon request.

E. Specialized Services Division (SSD)

The SSD shall support the investigation of bomb threats, escapes, and other offenses related to its area of specialization.

F. VHS

1. The VHS shall be responsible for investigating all motor vehicle collisions involving death or serious bodily injury and all probable felonious motor vehicle collisions.

2. Exceptions

a. During the preliminary stage of the investigation, if the VHS supervisor determines that the collision was the result of a suicide, homicide, or other suspicious circumstances or if the vehicles involved in the collision are part of another felony investigation (e.g., robbery, auto theft, etc.), the CID will be notified. Upon confirmation that the CID will respond, further investigation shall be suspended pending the arrival of the CID.

(1) When a case is accepted by the CID, the VHS and CID personnel shall coordinate their investigations to ensure that the VHS obtains the details required for its investigation without hampering or destroying evidence pertinent to the CID investigation.

If there is a conflict during the investigative process, the CID investigation shall take precedence. The VHS supervisor shall apprise the CID investigator of what will be required to complete the VHS investigation so it can be obtained later.

(2) When a case is not accepted by the CID, the VHS will continue its investigation of the collision. If the results of the completed investigation show that the collision was not accidental, the incident shall be reclassified and the VHS shall again confer with the CID.

- b. The VHS shall assist the PSO's Criminal Investigation Section upon request in two kinds of motor vehicle collisions involving a departmental employee as a suspect:
 - (1) collisions involving death or serious bodily injury and
 - (2) probable felonious motor vehicle collisions.
- 3. The VHS shall review the motor vehicle collision investigation reports and conduct or refer the necessary follow-up investigations.

G. Criminal Investigation Section, PSO

The PSO's Criminal Investigation Section shall be responsible for investigating:

- 1. All allegations of departmental employees' involvement in criminal activities;
- 2. All incidents involving the discharge of firearms by departmental employees with the exception of department-sanctioned training and practice. The PSO's Criminal Investigation Section shall respond to and investigate incidents of firearm discharges along with any other element that is responsible for investigating that type of incident (e.g., the CID); and
- 3. All cases involving deaths while in police custody. The PSO's Criminal Investigation Section shall respond to and investigate along with any other element that is responsible for investigating that type of incident (i.e., the CID).

The PSO's Criminal Investigation Section may call upon units within or outside of the department to assist in any investigation.

II. TECHNICAL SUPPORT UNITS

A. Communications Division

The Communications Division shall assist in notifying the appropriate BSU(s) and TSU(s) when there is no other means by which the field unit at the scene is able to contact the unit(s).

B. Scientific Investigation Section (SIS)

The SIS shall provide evidence specialists to support investigations at felony crime scenes as well as crime laboratory services.

III. CRIME SCENE RESPONSIBILITIES

A. Field Units

1. Offenses reported to or observed by patrol units shall be actively investigated under the supervision of the commander in charge of the watch.
2. The responding field unit shall be responsible for caring for the injured, preserving life, preserving the scene, and providing the support units with the appropriate information.
3. The responding field unit shall maintain command of the crime scene until properly relieved by the appropriate BSU or until the crime scene is properly released.
4. The responsible, on-scene field unit supervisor shall continue to direct and supervise field personnel at the scene and ensure that the support units are apprised of the situation.

B. Support Units

1. Whenever specialized skills are required, the appropriate BSU(s) and/or TSU(s) shall respond to the scene. Until then, the patrol supervisor shall be responsible.

Exception: When it is mutually agreed upon by the appropriate BSU and the on-scene field unit supervisor that the BSU is not needed at the scene, the BSU need not respond.

2. The BSU shall accept cases that have been classified as part of its particular area of responsibility. If it is later determined that the case should be reclassified, the assigned investigator shall initiate the reclassification process and shall not direct any field personnel to process the reclassification.
3. When an investigative element accepts responsibility for a case, no further action shall be taken without the concurrence of the assigned investigator.
4. The investigator shall channel any instructions or directions to field personnel through the on-scene field unit supervisor.

Exception: In the absence of a field unit supervisor, the investigator may instruct/direct the field personnel.

5. Nonresponse of the BSU or TSU

- a. Whenever a support unit refuses to respond to a request, the field unit supervisor at the scene shall write a To/From report to his or her bureau chief. The report shall include the nature of the request and the BSU's or TSU's reason for nonresponse. The field unit shall be responsible for pursuing the investigation.

- b. The BSU or TSU that does not respond to a field unit request shall document the refusal in its basic support unit log and submit a To/From report to the Investigative Bureau chief. The report shall include the nature of the request and the reason for nonresponse.

C. Chain of Command

In order to maintain control, the chain of command at a major crime scene shall be:

1. The officer in charge of the BSU responsible for the case investigation in the following order: major, captain, lieutenant, detective/sergeant, metropolitan police corporal, and metropolitan police officer; and
2. The officer in charge of the patrol division responding to the scene, in the following order: major, captain, lieutenant, sergeant, metropolitan police corporal, and metropolitan police officer.

D. Activity Reports

1. When directed to do so by the field unit supervisor or investigator in charge, an officer participating at or in any subsequent investigation of a major crime (e.g., death under unusual circumstances, sex offense, or other felony) shall submit an activity report containing details of the investigative action.
2. Officers responding to the crime scene shall report the following:
 - a. Date and time of arrival at the scene;
 - b. Location of the crime;
 - c. Name of victims and suspects, if known;

- d. Action taken at the scene (e.g., statements taken, persons questioned, number of photographs taken, measurements, observations, etc.);
 - e. List of physical evidence recovered; and
 - f. Case file reference number.
- 3. Technical support personnel responding to the crime scene shall report the following:
 - a. Date and time of request;
 - b. Name of the investigating officer;
 - c. Disposition of physical evidence; and
 - d. Action taken at the scene (e.g., number of photographs taken, measurements, etc.).

IV. PROCEDURES AT A CRIME SCENE

A. Field Units

- 1. The first officer at the scene shall assume command of the scene until the arrival of a field unit supervisor.
- 2. Any officer responding to a crime scene shall perform necessary tasks, which include but are not limited to:
 - a. Caring for the injured;
 - b. Ensuring preservation of the crime scene;
 - c. Assessing the situation and requesting additional field personnel if necessary;
 - d. Requesting that the appropriate BSU(s) and/or TSU(s) be notified;

- e. Obtaining names, addresses, and statements of parties and witnesses.

However, felony suspects should not be interviewed; and

- f. Ensuring that information for an all-points bulletin contains details concerning the suspect(s), their mode of transportation, direction of flight, weapon(s), and any other details that may contribute to apprehension.
- 3. The assigned beat officer shall complete a proper and thorough investigative report.
 - 4. The field unit supervisor shall:
 - a. Assume control of the crime scene;
 - b. Determine the number of field officers that should be assigned to the case, then request adjustment as necessary;
 - c. Determine if:
 - (1) The case was properly classified; and
 - (2) Notification was made to the appropriate support unit(s) and initiate adjustment as necessary.

Unless there is substantial evidence to indicate otherwise, the VHS shall be the primary investigative unit notified whenever a motor vehicle collision occurs;

- d. Transfer command and investigation of the crime scene upon arrival of the BSU;
- e. Provide information about the case to the responding BSU;

- f. Assist the assigned investigator and direct activities of any patrol officers participating in the case;
- g. Ensure that a proper and thorough investigative report is completed; and
- h. Establish and/or review elements for probable cause to make an arrest as appropriate.

B. Support Services

- 1. The appropriate BSU and/or TSU shall respond when requested by the field unit supervisor.
- 2. The responding BSU shall assume command of the crime scene and follow investigative procedures as provided in the applicable manual of operations.
 - a. The responsible investigator shall reclassify the case when necessary.
 - b. The responsible investigator shall direct field personnel through the on-scene field unit supervisor.
- 3. The responding TSU shall follow procedures as provided in the applicable manual of operations.

V. DEATH CASES

A. General Procedures

- 1. Officers will be sent to all death cases. Any death resulting from violence, or as the result of any accident, or by suicide, or when the person was in apparent good health, or when unattended by a physician, or in a prison, or in a suspicious or unusual manner, or within 24 hours after admission to a hospital or institution, shall be under the jurisdiction of the medical examiner.

- a. Every effort shall be made to contact the family physician to make the pronouncement of death.
 - b. In the event that the family physician does not make the pronouncement of death, the city and county physician shall be contacted.
 - c. Any telephonic pronouncement of death shall be so recorded with the names of the emergency medical technicians at the scene and the physician making the pronouncement.
2. In death cases where the victim is skeletonized, decomposed, or decapitated, the medical examiner shall retain jurisdiction and be responsible for the pronouncement of death.

If skeletal remains appear to be older than 50 years, the State Historic Preservation Division, Department of Land and Natural Resources (DLNR), must also be notified. See section V B 2 b below.

B. Death Scene Procedures

1. First Officer at the Scene

The first officer to arrive at the scene shall be responsible for the following:

- a. Classifying the case as either an unattended or attended death;
- b. In unattended death cases, notifying the CID, appropriate BSU, and Medical Examiner/Coroner's Office;

- c. In attended death cases, investigating the scene to ensure that no foul play was involved. The officer shall ascertain if the person was under a physician's care for a known ailment and that the physician is willing to sign the death certificate;

Officers do not have to remain at the scene once the case has been determined to be an attended death; and

- d. In all death cases, preparing a police report.

2. BSU Investigator

- a. Whenever the medical examiner takes custody of a body, a detective shall be assigned to investigate the circumstances of death.
 - (1) The investigator may hold any of the decedent's personal property as evidence until final judgment is rendered if the case is to be tried. The assigned investigator shall transmit an inventory list of all such items to the medical examiner.
 - (2) When a case is to be tried, the investigator may hold the decedent's personal property as evidence until final judgment is rendered.
- b. When human skeletal remains are discovered and the remains appear to be more than 50 years old, the discovery must be reported to the State Historic Preservation Division, DLNR.
 - (1) Police officers shall cease all activity in the immediate area of the discovery site until a further examination of the remains can be made.

- (2) Police officers shall notify the Communications Division of the discovery and request that the State Historic Preservation Division, DLNR, be notified.
- (3) The Communications Division shall contact the State Historic Preservation Division, DLNR, from a current listing of telephone numbers maintained in the Communications Division.
- (4) A representative from the DLNR shall view the discovery site and make a determination for the handling of the remains. In cases where the remains appear to be more than 50 years old, jurisdiction of the remains and associated items lies with the DLNR. In other cases, the medical examiner shall retain jurisdiction.

3. Identification Photograph and Fingerprinting

In all death cases of a criminal nature within the medical examiner's jurisdiction, an evidence specialist of the SIS shall be notified and shall fingerprint the decedent. Photographs will be taken upon request of the assigned detective.

Exception: The VHS shall photograph the decedent in traffic death cases.

4. Medical Examiner

- a. According to Section 841-12, HRS, the medical examiner shall be responsible for removal of the body, except in those instances cited in section V B 2 b above.
- b. Section 841-15, HRS, requires that the medical examiner be responsible for notifying the next of kin through any necessary means.

- c. The medical examiner must promptly deliver copies of all reports for deaths that required police response to the prosecuting attorney and the Chief of Police.
- d. The medical examiner is responsible for the disposal of all property of a deceased person (including that found on the body, in the home, etc.)
- e. In the event that the medical examiner encounters any difficulty in notifying the next of kin, assistance may be requested through the Communications Division and, if necessary, a police field unit supervisor may make the notification.

C. Specific Death Cases

1. Police Officer Killed in the Line of Duty

- a. The officer in charge of the investigation shall be responsible for promptly notifying the Federal Bureau of Investigation (FBI).
- b. The FBI will assist in the investigation if its assistance is requested in writing.

2. Motor Vehicle Collisions

- a. The interior of the vehicle and the area in and around the accident scene shall be carefully checked for property items.
- b. The VHS investigator shall complete and submit a property inventory for deceased person form.

3. Suicides

- a. Recovery and preservation of any suicide note shall be the responsibility of the following in the listed order of priority:
 - (1) Evidence specialist;
 - (2) CID investigator; and
 - (3) Officer assigned to the case.
- b. Strict rules of evidence handling shall be followed in handling the suicide note.
- c. The suicide note shall be carefully handled and placed, preferably, in a plastic bag.
- d. The person responsible for recovering the suicide note shall immediately photocopy (through the plastic bag) or photograph it and send copies to the CID and the medical examiner.

4. Deaths While in Police Custody

- a. In cases involving deaths while in police custody, the PSO's Criminal Investigation Section shall be notified.
- b. Proper crime scene procedures and the prescribed notification procedures shall be followed.
- c. As soon as practicable, the CID's Homicide Detail lieutenant shall notify the Department of the Prosecuting Attorney.

5. Death of Incarcerated Persons

- a. Upon notification of death of a person under incarceration, the on-duty CID lieutenant shall be notified.

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- b. The on-duty CID lieutenant shall notify the CID's Homicide Detail lieutenant of the incident.

VI. SEX OFFENSES

Refer to Policy 4.20, SEX CRIME INVESTIGATIONS, for procedures regarding the investigation of sexual assault cases.

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ARTHUR J. LOGAN
Chief of Police

Post on bulletin
board for one week

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March 29, 2002