MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS
AND OPERATING PROCEDURES

Subject: Criminal Investigations	**Number: 281**
Effective Date: December 13, 2023	**Revised Date:**
Rescinds: None	**Dated:**

Approved By:

I. PURPOSE

This directive establishes accountability for the conduct of preliminary and follow-up criminal investigations by agency personnel, and establishes guidelines for accomplishment of these tasks.

II. POLICY

It is the policy of the Myrtle Beach Police Department to employ thorough and timely investigative techniques in order to ensure an efficient and effective criminal investigation. It establishes accountability for the conduct of preliminary and follow-up criminal investigations by agency personnel, and establishes guidelines for accomplishment of these tasks.

III. PROCEDURE

A. Preliminary Investigations

1) Preliminary investigations of all types of offenses shall be the responsibility of the Patrol Division personnel dispatched to the scene, unless and until such time the Patrol supervisor designates otherwise.
2) A shift detective(s) will be assigned to each patrol shift to respond to incidents requiring specialized investigative expertise. The Investigative Division Lieutenant will provide the communications center with an on-call list for periods when no shift detective is on duty or is unavailable.
3) The Patrol supervisor and a shift detective will respond to all scenes of suspected death, felony assault, sexual assault, armed

robbery, arson, or whenever, in the supervisor's opinion, the case is:
   a. Unusually serious or complex; or
   b. There is indication that an immediate lengthy investigation may be required.

4) Preliminary investigations begin when the officer arrives at the scene of an incident, first makes contact with the complainant, or becomes aware that a crime has been or is being committed. The preliminary investigation includes the following
   a. Observing all conditions, events, and remarks;
   b. Locating and identifying witnesses;
   c. Maintaining the crime scene and protecting evidence;
   d. Interviewing the complainant and the witnesses;
   e. Interrogating the suspect and/or effecting an arrest (filing of warrant, notice to appear, etc).
   f. Arranging for the collection of evidence;
   g. Reporting the incident fully and accurately;
   h. Any other action which may aid in resolving the situation or solving the crime.

B. Follow-up Investigations:

1) The purpose of the follow-up investigation is to discover additional information in order to clear a case, identify and arrest a suspect, recover stolen property, gather additional evidence, and prepare a case for court presentation.
2) Patrol supervisors will review all UCRs and determine if open cases will be assigned to the patrol officer or forwarded to the Investigative Division.
   a. Uniformed patrol officers are responsible for conducting follow-up investigations in all cases not requiring specialized skills, knowledge and abilities.
   b. The Investigative Division is responsible for conducting follow-up investigations for any case requiring specialized investigative skills and all cases in which a detective has responded to and assumed responsibility for the scene.
3) The following procedures will be used as necessary and these efforts will be documented on the Supplemental [Incident] Report:
   a. Reviewing and analyzing all previous reports prepared in the preliminary stage, checking agency records for other reports of like nature or with the same subject, and review of any laboratory examinations;
   b. Conducting additional follow-up interviews of victims, witnesses, and/or subjects;
   c. Seeking additional information from uniformed officers, informants, etc.;

d. Planning, organizing, and conducting searches and collecting physical evidence as necessary (the Investigative Division is responsible for insuring the collection and processing of the crime scene for physical evidence and/or requesting Federal Bureau of Investigation (FBI), South Carolina Law Enforcement Division (SLED), or any other local, state, or federal resources);
e. Identifying and apprehending suspects;
f. Determining involvement of suspects in other crimes;
g. Checking suspect's criminal histories at local, state, and national (National Crime Information Computer - NCIC) levels; and
h. Preparing cases for court by ensuring that case files are complete and accurate and that witnesses can be located.
i. Second Contacts - Contacting a victim, complainant, or witness for a second time, after the lapse of several days, may result in the receipt of information leading to the clearance of a case. The investigating officer assigned the case, whether a patrol officer or detective, shall personally contact the victim and the complainant, either by phone, in writing, or preferably in person within seven days of the initial investigation.

C. Case-File Management

1) The department will maintain a case-file management system for the criminal investigations function. At the time a case is assigned for follow-up, the following information is required:
   a. Investigating officer assigned.
   b. Case number and date.
   c. Arrests, if any.
   d. Case status.
2) An administrative designation of Active, Administratively Closed, Cleared by Arrest, Exceptionally Cleared, or Unfounded will be assigned to each case, as appropriate, to assist in case management and control.
   a. "Active" indicates that the case is assigned to an investigator and investigative efforts are active and ongoing.
   b. "Administratively Closed" indicates that all available leads have been exhausted, but the case has not been brought to a conclusion and investigative efforts may be resumed if new evidence or leads are discovered later. This also includes cases in which a warrant is on file but no arrest has been effected, or the incident occurred in the Department's jurisdiction but the case has been transferred to another law enforcement agency to investigate.

c. “Cleared by Arrest” indicates that the case has been cleared by the arrest of the offender.
d. “Exceptionally Cleared” indicates that although an offender has been identified and located, no arrest will be made because of reasons beyond law enforcement control. An incident cannot be exceptionally cleared unless the subject's race, sex, age, and ethnicity are reported. A case is considered exceptionally cleared if it falls into one of the following categories:
    i. Offender Death - all offenders in this case are deceased.
    ii. No Prosecution - although the offender(s) has been identified and located and there is evidence to support charges, the court or Solicitor's Office has decided not to prosecute.
    iii. Extradition Denied - extradition of the offender(s) is denied.
    iv. Victim Declines Cooperation - the offender(s) has been identified, located, and evidence compiled, but the victim declines to cooperate in the prosecution.
    v. Juvenile/No Custody - a juvenile is identified as the offender, but the case is handled informally with a Council, Warn, and Release with no referral to Family Court.
e. “Unfounded” indicates the alleged offense did not occur and there are sufficient reasonable grounds to support this premise, or the incident did not occur within the department's jurisdictional boundaries.

3) Case files are maintained on all cases in which investigative activities are ongoing. These files are an immediate information resource to investigators and are to include:
    a. Copy of the preliminary report.
    b. Copy of statements.
    c. Results of examinations of physical evidence.
    d. Case status reports.
    e. Other reports and records needed for investigative purposes, such as breath alcohol examination results or prior criminal records.
    f. Evidence collection forms.
4) Accessibility to case files is limited to officers on a need-to-know basis. Accessibility to case files normally includes investigating officers, their supervisors, and the Solicitor's Office.
5) The Department's records retention schedule, in conjunction with the SC Department of Archives and History, will determine when investigative case files are purged.

D. Use of Polygraph in Criminal Investigations:

1) Any polygraph examination of an individual must be voluntary on the part of that individual.
2) The primary goal of the polygraph examiner should be to establish innocence rather than to substantiate guilt. The results of the examination will not be used in court for any criminal case.
3) The investigator assigned to the case must recommend any polygraph examination and receive approval from the Investigative Division Captain prior to such examination.
4) Results of any examination will be filed in the case file. In no case will the results of the polygraph examination be released to anyone other than law enforcement or the Solicitor's Office unless by court order. The primary or lead investigator must be made aware of such release.
5) Investigators are advised that any results of a polygraph examination is an aid only. Any information disclosed by way of the polygraph must be substantiated by other investigation.
6) Only those polygraph examiners who are certified and licensed will administer polygraph examinations.

E. Assisting Victims of Identity Crime

1) With the growing concern over increasing numbers of identity theft crimes being reported to the Myrtle Beach Police Department, it is necessary to have a written directive concerning guidelines for identity crimes.
2) Once an officer has established that a crime involving identity theft has taken place in our jurisdiction and completed a UCR, the report along with supporting evidence will be forwarded to Investigations for follow-up.
3) The officer will offer advice and provide the victim with the necessary information to contact the consumer credit reporting bureaus as well as the Federal Trade Commission, banks, and credit card companies so that a fraud alert can be placed on the victim's record.
4) Since these types of crimes routinely cross jurisdictional boundaries, the Department will actively coordinate and share information with federal, state, and local agencies.