

## ILLINOIS STATE POLICE DIRECTIVE OPS-042, INVESTIGATIVE RESPONSIBILITIES

<b>RESCINDS:</b> OPS-042, 2022-177, revised 04-25-2022.	<b>REVISED:</b> 01-03-2023 <b>2023-075</b>
<b>RELATED DOCUMENTS:</b> OPS-008, OPS-068, OPS-201, Criminal Investigation Report Writing Manual	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 1.2.3, 12.1.2, 12.1.4, 26.2.1, 26.2.5, 26.3.4, 40.2.3, 41.2.4, 42.1.1, 42.1.4, 42.2.1, 42.2.2, 42.2.3, 42.2.4, 43.1.1, 43.1.5, 46.2.1, 61.2.2, 83.1.1, 83.2.1, 83.2.6, 83.3.2, 84.1.1

### I. POLICY

The Illinois State Police (ISP) will adopt procedures to ensure the effective and efficient detection, apprehension, and prosecution of those persons who violate criminal laws.

### II. DEFINITIONS

II.A. Follow-up investigation - activities undertaken by an officer(s) facilitating the identification and apprehension of a criminal offender and maximizing the probability of successful prosecution. Thus, while the definition incorporates many of the elements of a preliminary investigation, it also includes:

- II.A.1. Compiling all investigative reports
- II.A.2. Statements
- II.A.3. Items of evidence
- II.A.4. Data prepared by forensic scientists and polygraph examiners
- II.A.5. Other material needed for effective prosecution

II.B. Functional authority - the ability to direct the efforts of other personnel who are engaged in an investigation in order to facilitate timely and efficient case management. This includes the ability to direct those personnel who are present at a crime scene to ensure the security of the crime scene and proper documentation, collection, and preservation of all items of evidential value relevant to the case.

II.C. Major offense - a real or suspected crime of such severity that it creates, or seems likely to create, an intense public demand for identification, apprehension, and prosecution of the offender; a crime that necessitates a substantial commitment of resources for a prolonged period of time; or a crime that requires the application of complex or unusual investigative techniques.

Examples of offenses and investigations included within these parameters are:

- II.C.1. Arson
- II.C.2. Bank robberies, home invasions, and armed robberies that usually necessitate sustained investigative effort
- II.C.3. Conspiracies involving criminal groups
- II.C.4. Covert investigations
- II.C.5. Death investigations
- II.C.6. Financially based crime, e.g., frauds, forgeries, public aid related crime, etc.
- II.C.7. Investigative activities relating to the integrity of the executive branch of state government
- II.C.8. Kidnapping

- II.C.9. Major vehicle crashes involving death(s), serious injuries, or extensive property damage in which the driver is suspected of being under the influence of alcohol and/or drugs at the time of the crash
- II.C.10. Organized criminal activities/offenses
- II.C.11. Sexual assaults, sexual abuses, and other sex-related offenses
- II.C.12. Sophisticated burglaries - safe jobs, alarm circumventions, etc.
- II.C.13. Public integrity offenses
- II.D. Preliminary investigation - the activities undertaken by an officer(s) responding to the scene of a crime, including:
  - II.D.1. Responding to immediate needs - rendering aid to the injured; noting such facts as the position of victims or injured subjects, spontaneous statements, and unusual actions or activities; or notifying headquarters with an assessment of the scene and initial interviews of personnel at scene.
  - II.D.2. Determining if a crime has been committed.
  - II.D.3. Initiating enforcement action - arresting or pursuing the offender (if applicable) and/or dispatching apprehension information.
  - II.D.4. Securing the crime scene and protecting evidence in accordance with ISP Directive OPS-201, "Evidence – Collecting and Packaging" - limiting access; identifying and isolating witnesses; and protecting all evidence, especially short-lived evidence (impressions in snow or mud, etc.); and electronic evidence (cellular telephones, electronic devices, etc.).
  - II.D.5. Determining the need for investigative specialists - notify, as required, the Division of Criminal Investigation (DCI), and/or the Division of Internal Investigation (DII), and/or the Division of Forensic Services (DFS). Once officers have requested the specialists, the officer must preserve the scene to the maximum extent possible until the specialists arrive and assume responsibility for the scene.
  - II.D.6. Initiating an investigation - arranging for collection and preservation of evidence, photography and crime scene sketches, and interviewing of witnesses, victim(s), and suspect(s). Normally, officers will pursue preliminary investigations to the point where a temporary discontinuance of the process would not hamper or jeopardize the outcome of the case.
  - II.D.7. Compiling a thorough and accurate report of activities. Data recorded should be sufficient to:
    - II.D.7.a. Identify evidence, witnesses, and elements of offenses to include initial statements
    - II.D.7.b. Reflect the extent of officer involvement and to identify other ISP employee involvement in the activity or investigation
    - II.D.7.c. Document any evidence seized and the chain of custody of evidence seized during the preliminary investigation
    - II.D.7.d. Facilitate determination of whether or not a follow-up investigation should be undertaken
    - II.D.7.e. Develop a time line of events pertaining to the crime being investigated
    - II.D.7.f. Sustain effective prosecution (if applicable)
    - II.D.7.g. Protect the integrity of the Department

### III. RESPONSIBILITIES

#### III.A. ISP officers will:

- III.A.1. Render appropriate first aid to the injured, if required, and in extreme situations, be alert for dying declarations, making appropriate notations.

- III.A.2. As soon as sufficient identifiers are available to permit the establishment of a record entry into Law Enforcement Agencies Data System (LEADS) (and the National Crime Information Center (NCIC), where appropriate), ensure entry of all such information pertaining to thefts, criminal acts, and missing/runaway persons to aid apprehension and/or recovery, as well as to enhance officer safety. Officers should request an Illinois State Police Emergency Radio Network (ISPERN) broadcast for offenses occurring within the last hour, or a local broadcast for offenses older than one hour.
- III.A.3. When appropriate (in the case of a violent crime investigation when approved by the investigating officer), provide notification to the next-of-kin in accordance with ISP Directive OPS-068, "Next-of-Kin Notification."
- III.A.4. Comply with ISP Directive OPS-008, "Victim/Witness Services," regarding providing information, referrals, and services to victims and witnesses.
- III.A.5. Recognize the Department's responsibility and obligation for the prevention and suppression of criminal activities within the state of Illinois.
- III.A.6. Be alert for criminal activity within the area of their assignment. Cooperate fully in criminal investigations and intelligence operations as they pertain to the performance of assigned duties and responsibilities.
- III.A.7. Recognize that nothing stated herein relieves any officer of the Department from the specific responsibility for taking immediate, positive enforcement action in each situation that comes to his/her attention where laws are being violated. However, when the circumstances existing at the scene of the incident/offense are such as to require the application of specialized investigative techniques, or when the demands placed upon the responding officer clearly exceed the scope of the investigative authority delegated to him/her, the officer will immediately initiate appropriate notification procedures as listed herein.
- III.A.8. Notify their immediate supervisor upon receipt of criminal information or observation of actual or suspected vice or organized criminal activities.
- III.B. Division of Patrol (DOP), DCI, DFS, and DII will:
  - III.B.1. Participate in developing, implementing, using, and improving a system to facilitate the efficient allocation of investigative resources, and identify and promote the use of sound investigative and evidence collection techniques.
  - III.B.2. Participate in developing and implementing measures intended to upgrade the quality of reporting.
  - III.B.3. Participate in developing and implementing a training program to ensure officers are apprised of the latest investigative techniques.
  - III.B.4. Maintain liaison with all other divisions in order to promote the free exchange of information and for continually improving the investigative process.
- III.C. DOP will:
  - III.C.1. Conduct preliminary investigations concerning offenses referred to, or within the jurisdiction of, the Department.
  - III.C.2. Conduct follow-up investigations for crimes not defined as major offenses for those instances in which assistance by DCI or DFS has been requested.
  - III.C.3. When in the opinion of officers or command personnel such intervention is warranted, regardless of the severity of the offense, immediately request assistance of appropriate DFS, DII, or DCI investigative personnel.

- III.C.4. Protect the scene and immediately summon DFS crime scene investigators and DCI investigative personnel upon the discovery of any major offense that is within the jurisdiction of the ISP.
- III.C.5. Provide a central contact point for notification of crime scene and investigative specialists.
- III.C.6. Permit participation by uniformed officers in follow-up investigations conducted by DCI Investigations or DII when such participation is deemed mutually beneficial by Commanders for purposes of bringing the case to a speedy and successful conclusion or for enhancement of the professional capabilities of the uniformed officer.
- III.C.7. Support statewide criminal activity analysis by providing copies of all reports and information pertaining to actual or suspected criminal activity for review by DCI Commanders.
- III.C.8. Be responsible for preservation of the scene and maintain authority over that scene until properly relieved of such duty, the scene no longer requires such control, or another law enforcement agency of competent jurisdiction has been given control of the scene.
- III.D. DCI will:
  - III.D.1. Provide investigators, upon request, for response to major crime scenes.
  - III.D.2. Assign a case agent or lead investigator to assume functional authority for conducting or participating in a follow-up investigation of each major offense that is referred and assigned to the jurisdiction of the ISP.
  - III.D.3. Provide investigative assistance as requested by other divisions and local law enforcement agencies when staffing is available.
  - III.D.4. Proactively investigate criminal activities within the state of Illinois.
  - III.D.5. Maintain a capability for conducting statewide analysis of criminal activity through examination of the origins, activities, personnel, and incidents of crime for purposes of providing tactical and strategic crime-related information for all law enforcement agencies.
  - III.D.6. Conduct or participate in other investigations as the Director may request.
  - III.D.7. Permit participation by uniformed officers in follow-up investigations that are administered by the Division when such participation is deemed mutually beneficial by the Commanders for the purpose of bringing the case to a speedy and successful conclusion or for enhancement of the professional capabilities of the uniformed officer.
  - III.D.8. The investigations supervisor will periodically advise officers of the other divisions, on a need-to-know basis, of the status of certain cases when such officers maintain an interest in a case by virtue of their joint participation in its investigation.
    - III.D.8.a. Provide relevant patrol troops with the appropriate information regarding criminal investigations and activities, including persons wanted, officer safety issues, status of ongoing investigations, etc.
    - III.D.8.b. Upon receipt of information pertaining to suspected vice or organized criminal activity, the Zone Commander may cause an investigation to be conducted in order to verify alleged statutory violations.
    - III.D.8.c. Upon completion/adjudication of the investigation and prior to case closing, the Zone Commander or their designee will ensure a case review has been completed and reports have been submitted to the Investigative Records Unit via the Department's Traffic and Criminal Software (TraCS) application or following submission guidelines set forth in Appendix 1 of the Illinois State Police Criminal Investigation Report Writing Manual.
    - III.D.8.d. As a courtesy, unless extenuating circumstances prevail, local authorities should be contacted prior to initiation of enforcement action within their jurisdiction.

- III.D.9. Refer investigations under the jurisdiction of other divisions to the appropriate division.
  - III.E. DFS will:
    - III.E.1. Provide functional authority over the services of crime scene investigators and traffic crash reconstruction officers (TCROs) on a 24-hour, seven-days-per-week basis; process and prepare appropriate written reports for all major crime/traffic crash scenes; and act as primary respondent to all appropriate requests for crime scene/traffic crash services when requested by law enforcement agencies throughout the state of Illinois.
    - III.E.2. Develop and administer standards and curricula for the training and certification of all department employees who are engaged in delivering supportive crime scene assistance.
    - III.E.3. Provide, upon request, and when appropriate, training in crime scene evidence potential and in collecting, preserving, using, and disposing of evidence.
    - III.E.4. Act as a repository for all statistics on crime scene/traffic crash services delivered by employees of the ISP.
    - III.E.5. Maintain liaison between employees of the Forensic Sciences Command and the Scene and Evidence Services Command (SESC) in order to discover or promote developing and perfecting methods that will ensure more efficient processing of evidence or will result in improvement of the techniques used for analysis, collection, and preservation of such material.
  - III.F. DII will:
    - III.F.1. Provide investigators, upon request, for response to major crime scenes involving state employee alleged misconduct while on state time.
    - III.F.2. Assign a case agent or lead investigator to assume functional authority for conducting or participating in a follow-up investigation of each major offense that is determined to be in the jurisdiction of DII.
    - III.F.3. Fulfill statutory responsibility for initiating and conducting investigations related to employees, within their official capacity, working for departments under the executive branch of state government.
    - III.F.4. Investigate complaints and initiate investigations of official misconduct by state employees at the direction of the Governor or the ISP Director.
    - III.F.5. Conduct other investigations as the Governor and/or the ISP Director may direct.
    - III.F.6. Refer to DCI investigative matters for which DCI has statutory responsibility or expertise.
    - III.F.7. Provide investigative assistance to divisions of the ISP, departments under the executive branch of state government, and other law enforcement agencies.
    - III.F.8. In cases involving complaints against ISP employees, periodically update the complainant concerning the status of a complaint, to include:
      - III.F.8.a. Verification the complaint has been received for processing
      - III.F.8.b. Status report 60 days after initial receipt
      - III.F.8.c. Notification of the results of the investigation upon conclusion
- NOTE:** The contact with the complainant will be documented according to the guidelines set forth in the Illinois State Police Criminal Investigation Report Writing Manual and the DII Directives and Procedures Manual.

**NOTE:** In cases involving complaints against ISP employees which have been referred to the appropriate division for handling, notifications to the complainant will be handled by that division.

- III.F.9. Permit participation by uniformed officers in follow-up investigations conducted by DII when Commanders deem such participation as mutually beneficial for purposes of bringing the case to a speedy and successful conclusion, or for enhancement of the professional capabilities of the uniformed officer.
- III.G. Police operations to include: service of search/arrest warrants and planned arrest situations (i.e., buy busts)
  - III.G.1. At those times when department officers are the primary arrest/search team, the responsibility for the tactical function resides with the unit Commander to whom the investigation is assigned. This responsibility includes:
    - III.G.1.a. Completing an operational plan and/or briefing to ensure all members of the arrest/search team, both uniformed and non-uniformed officers, are properly informed and assigned to specific tasks and/or duties. Supervisors will review the circumstances and details of the case, and as part of the planning process ensure:
      - III.G.1.a.1) That the address has been reasonably verified. In the event an error occurs resulting in service on an incorrect location, notification will be made to DII.
      - III.G.1.a.2) The presence of children or other vulnerable persons on-site is assessed.
      - III.G.1.a.3) All officers participating in the execution of a no-knock search warrant who have been issued an officer-worn body camera will ensure the camera is recording at all times during the entry and service of the warrant. When officers who have not been issued an officer-worn body camera participate in such service, alternate recording methods will be utilized.
    - III.G.1.b. Forming arrest/search teams; team safety precautions; controlling, processing, and safeguarding of evidence; processing of arrestees; and submitting arrest/search reports.
  - III.G.2. When officers are participating in a command-approved raid in which another law enforcement agency is the primary agency, ISP officers will comply with the procedures of the primary agency providing there is no conflict with ISP policy. If an ISP officer has knowledge of a policy conflict, the officer will immediately notify his/her supervisor and wait for authority to proceed or abort the mission.
  - III.G.3. Operations deemed high-risk, those involving individuals known to be armed with weapons, barricades, clandestine laboratories, or any other unusual circumstances (attack dogs, etc.), will be referred to and, if practicable, conducted by Special Weapons and Tactics Team (SWAT) personnel or any other SWAT team working with the MEG/TASK Force Teams.

#### IV. PROCEDURE

Subject to approval of the Director and appropriate Deputy Director, the appropriate Commanders may establish specific operating procedures to enhance efficient identification and handling of reported criminal activities (e.g., investigator chain-of-command notification in their respective areas of responsibility, etc.).

| Indicates new or revised items.

**-End of Directive-**