



Cover Memorandum

Criminal Investigations, JHPD Directive #460

Purpose of the Directive

The purpose of this Directive is to establish an operational directive and procedures for criminal investigations conducted by the Johns Hopkins Police Department (JHPD).

Summary of Directive Requirements

This Directive explains that JHPD will be responsible for preliminary and follow-up investigations of criminal complaints within its jurisdiction as defined by the Memorandum of Understanding (MOU) between Johns Hopkins University (JHU) and the Baltimore Police Department (BPD). It provides procedures for JHPD members to follow to ensure investigations will be completed thoroughly and in an effective and efficient manner by coordinating their efforts with BPD. This Directive also provides procedures for specific investigative techniques and follow-up investigations.

This Directive strictly prohibits a member from requesting any victim of an alleged sexual offense as defined under Federal, State, or local law to submit to a polygraph examination or other deception detection examination. See JHPD Directive #465, Response to Crimes of Sexual Violence. In addition, this Directive requires that all exculpatory evidence shall be identified, retained, and provided to the prosecutorial authority, in accordance with JHPD Directive #463, Exculpatory & Incriminating Statements of Evidence.

Finally, this Directive provides procedural guidance for reporting and case file management, as well as supervisory review of investigations.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as “directives”) shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD’s draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall’s Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and

Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

a. **Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

b. **National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts’s “Racially Just Policing: Model Policies for Colleges and Universities”; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. **National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community’s public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

CRIMINAL INVESTIGATIONS

OPERATIONAL PROCEDURE #460

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

Johns Hopkins University Police Department (JHPD) will be responsible for preliminary and follow-up investigations of criminal incidents within its jurisdiction as defined by the Memorandum of Understanding (MOU) between the Johns Hopkins University (JHU) and Baltimore Police Department (BPD). Investigations will be completed thoroughly and in an effective manner by coordinating the efforts of the Uniform Patrol and Investigations Divisions, as necessary.

Who is Governed by this Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

Purpose

This directive establishes operational policy and procedures for criminal investigations conducted by the JHPD.

Definitions

Composite Image:	A sketch or digitally generated image of a criminal suspect usually created from witnesses' descriptions and used to help identify and apprehend the suspect.
Follow-Up Investigation:	An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, identify an offender, and/or recover stolen property.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Preliminary Investigation:	The activity that begins when officers arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

Policy

Crimes reported to the JHPD will be thoroughly investigated. The ultimate objective of a criminal investigation is to protect the innocent, recover evidence, and solve crimes.

Procedures

- I. **Preliminary Investigation** Commission on Accreditation for Law Enforcement Agencies (CALEA) 42.2.1
 - A. Most investigations begin with the preliminary investigation conducted by a patrol officer. Depending on the nature and severity of the crime and complexity of the crime scene, a follow-up investigation conducted by the patrol officer or Investigations Division may be initiated.
 - B. All investigations will be thoroughly conducted with all activities and results documented. Reports will provide enough detail that follow-up investigations can be assumed by another officer without having to repeat the steps of a preliminary investigation.
 - C. In some instances, an individual may not want a report taken. The officer must still complete the incident report with as much information as possible, to include that the individual declined reporting.

- D.** Activities during the preliminary investigation shall center on the protection of persons, collection of evidence, and if a suspect is identified, enforcement based on the least intrusive and most effective method for the violation.
- E.** During the preliminary investigation, officers will perform the following duties in the order and to the degree deemed appropriate; however, only those steps that are necessary for the given investigation should be used by officers. These steps include the following:
- Making the crime scene safe to the degree possible.
 - Observing all conditions, events, and remarks. (CALEA 42.2.1 a)
 - Notifying the Communications Center concerning injured parties and any dangerous conditions present, and requesting appropriate medical assistance and additional equipment, services, or personnel as needed.
 - Providing aid for the injured, pending arrival of medical assistance.
 - Maintaining and protecting the crime scene to ensure that evidence is not lost or contaminated. (CALEA 42.2.1 c)
 - Arranging for the collection of evidence and photographs of the scene. Determining if assistance is needed from an outside agency in the collection of forensic evidence. If so, notify their supervisor to request assistance. Ensuring that evidence that has been collected is properly documented and secured to maintain the integrity and chain of custody.
 - Locating the complainant and identifying witnesses. (CALEA 42.2.1 b)
 - Interviewing the complainant, victim, witness, and if appropriate, the suspect.
 - Obtaining audio/video-recorded statement on body-worn cameras (BWC) from victims, witnesses, and suspects, if they can be obtained legally. (CALEA 42.2.1 d)
 - Determining if an offense has actually been committed and if so, the exact circumstances and nature of the offense.
 - Determining the identity of the suspect(s) and using the most appropriate enforcement method, pursuant to JHPD Directive #424, Arrests & Alternatives to Arrest, to conclude the investigation.
 - The assigned officer will not leave the crime scene unattended unless an emergency or unusual situation develops; in such situations, the officer will notify Communications of their actions. (CALEA 42.2.1 d)
 - Providing other patrol units, through the Communications Center, the physical description, method and direction of flight, and other relevant information concerning wanted persons or vehicles.
 - Accurately and completely documenting all pertinent information on the

proper Departmental form(s) and request entry into Maryland Telecommunications Enforcement Resources System (METERS)/ National Crime Information Center (NCIC), as appropriate.

- Conducting neighborhood canvasses.
- Ensuring proper notification to the Chain of Command.
- Providing information to victim/witness services regarding applicable services.

F. In the event the officer needs assistance from the Investigations Division or a BPD investigator, then they should notify their supervisor, who will request an investigator to be sent to the scene.

G. Upon completion of a preliminary investigation, officers must submit their initial incident reports to their supervisor for approval and submission into the Record Management System (RMS) prior to the end of the officer's tour of duty. Supervisors must check reports for accuracy and completion prior to approval.

H. Responsibilities of Second/Back-up Officer(s) on the Scene of a Preliminary Investigation

- Secondary officers shall contact the first officer at the scene and coordinate activities; the first officer on the scene is in charge, unless relieved of that responsibility, and is responsible for all necessary incident reports.
- Secondary officers shall prepare the necessary supplemental reports for review by the supervisor.

I. Responsibility of Patrol Supervisors on the Scene of a Preliminary Investigation

The patrol supervisor's main responsibility at the scene of an incident is to direct the police operation. The supervisor will ensure that departmental policies and procedures are followed.

- Supervisors shall respond to the following incidents to assume control or ensure proper response from JHPD and/or BPD:
 - o Any "In-Progress Crimes" Call for Service
 - o Unattended Death / Serious Injury
 - o Sexual Assault / Rape
 - o Assault
 - o Threatening Behavior
 - o Hate Crimes / Bias Incidents
 - o Missing Persons / Kidnapping / Abductions / Code Pink / Eloped Patients

- o Crimes involving weapons
 - o Bombs / Bomb threats
 - o Fires
 - o Hazmat incidents
 - o Crash with Injuries
 - o Mass casualty incidents
 - o Pursuit by Foot or Vehicle
 - o Emergency Committal
 - o Significant Property Crime
 - o Demonstrations and Assemblies
 - o Large gatherings
- As soon as the supervisor confirms any of the above incidents, they will ensure proper notification to the on-call Investigator, Patrol Commander, other University Departments, and /or BPD as needed, providing sufficient details to aid in determining additional incident needs and responses.
 - Supervisors shall respond to other call types as requested.
 - **On-Call Investigator:** The on-call investigator shall be called for all Group A offenses under National Incident Based Reporting System (NIBRS) program that BPD will not handle, including:
 - o Larceny/Theft Offenses,
 - o Burglary/Breaking and Entering, and
 - o Motor vehicle theft.

II. **Follow-Up Investigation** (CALEA 42.2.2)

- A. A follow-up investigation shall be conducted on **all** investigated crimes that have not been resolved by the preliminary investigation.
- B. Depending on the nature of the offense and complexity of the investigation, follow-up investigations may be conducted by either Patrol or Investigations. (CALEA 42.1.4)
- C. Follow-up investigations are critical to a successful conclusion of a criminal investigation. The follow-up investigation should be an extension of the activities of the preliminary investigation and not a repetition of it.
- D. The purpose of follow-up investigations is to gather additional evidence and information to prove whether or not an offense has been committed.
- E. The officer or investigator will follow these investigative steps as appropriate in follow-up investigations:
 - Reviewing and analyzing reports prepared during the preliminary investigation and identifying any open investigative steps (CALEA 42.2.2.a)

- Reviewing agency records related to other similar occurrences in the area (CALEA 42.2.2.a);
- Reviewing results from laboratory examinations (CALEA 42.2.2.a);
- Conducting criminal history and background checks of potential suspects (CALEA 42.2.2.g);
- Conducting additional interrogations and interviews, to include other police and sources of information (CALEA 42.2.2.b.c);
- If the suspect consents to a voluntary interview, conducting the interview of the known suspect. If the suspect is in custody, following JHPD Directive #461, Custodial Interrogations;
- Planning, organizing, obtaining warrants, and conducting searches, when necessary (CALEA 42.2.2.d);
- Collecting or arranging for the collection of physical evidence and video footage from surrounding area, identifying and interviewing witnesses, or recovering stolen or missing property (CALEA 42.2.2.d);
- Ensuring that evidence has been collected, is properly documented, and is secured to maintain the integrity and chain of custody;
- Arranging for the analysis and evaluation of evidence;
- Determining the identity of the suspect(s), and if necessary, completing Application for Statement of Charges (CALEA 42.2.2.e);
- Determining the involvement of suspect(s) in other crimes (CALEA 42.2.2.f);
- Preparing cases for court presentation and assisting in prosecution (CALEA 42.2.2.h);
- Notifying victim(s) and witness(es) of the investigation status.

F. Reporting

The officer or investigator assigned to the investigation will prepare supplemental reports in conformance with JHPD Directive #470, Field Reporting System, documenting follow-up activities, and submit on the 15th and 30th of every month until the case is suspended or closed by the Investigations Supervisor (CALEA 42.1.4).

- In addition, the officer or investigator will disseminate suspect information, as appropriate (i.e., Crime Alerts, Roll Call announcements, etc.)

III. Special Investigative Procedures (CALEA 42.2.2)

The use of special investigative procedures will assist patrol officers and investigators in identifying and developing information through witnesses, victims, documents, and other sources (CALEA 42.2.1.a).

A. Special investigative procedures include:

- **Obtaining documents and other information from third parties.** Officers may need to obtain court orders or grand jury subpoenas to obtain records from businesses, organizations, and agencies.
- **Field Interviews and Investigative Stops.** All officers shall follow JHPD Directive #409, Field Interviews, Investigative Stops & Pat-Downs when conducting field interviews and investigative stops.
- **Custodial Interviews and Interrogations.** All officers shall follow JHPD Directive #461, Custodial Interrogations when conducting field interviews and investigative stops.
 - o Note: All officers shall follow JHPD Directive #426, Interactions with Youth, when conducting field interviews, investigative stops, or custodial Interrogations involving youth.
- **Eyewitness Identification.** All JHPD members shall follow JHPD Directive #462, Eyewitness Identification, when conducting photo arrays, lineups, or any other eyewitness identification.
- **Composite Image Development.** The use of composite images can yield investigative leads in cases in which no suspect has been determined. Officers shall use these procedures to obtain a description from the witness that will enable the development of a reasonable likeness of the suspect.
 - o In considering developing a composite image, the investigating officer should: (1) Assess the ability of the witness to provide a description of the suspect; and (2) Not display any photos to the witness immediately prior to development of the composite.
 - o If the witness can provide a detailed description of the suspect, the investigating officer should contact their supervisor to determine the appropriate composite procedure to be used (e.g., forensic artist sketch, identikit-type, or computer-generated images).
 - o The investigating officer shall explain the type of composite technique to be used to the witness and how the composite will be used in the investigation.

B. **Criminal History and Background Investigations** (CALEA 42.2.2.g)

Criminal investigations frequently involve the need to conduct background investigations of persons suspected of participating in certain crimes via METERS/NCIC. Copies of any personal background or criminal history information obtained shall be maintained within the Investigative Case File and shall not be disclosed to non-criminal justice entities.

C. Surveillance (CALEA 42.2.1.e, 43.1.5)

The observation of a person, place, or vehicle is a basic police technique that can be used by officers to gather evidence of illegal activity or to apprehend criminals after a pattern of their criminal activity has been identified.

- If surveillance operations are needed outside of the Johns Hopkins University Campus Area, appropriate notification and assistance will be requested of the law enforcement agency with jurisdiction.
- Any surveillance of specific individuals must be approved by the Chief of Police.
- All officers are prohibited from surveilling political, social, faculty, staff, student groups, or any individual for which reasonable articulable suspicion that they have committed a particular crime does not exist.

D. Polygraph Examinations and other deception detection examinations. The deception detection examinations will serve as an adjunct to, but not a substitute for, other investigative efforts. (CALEA 42.2.5)

- If needed, a deception detection examination shall be conducted to determine the veracity of the person tested regarding the issue under investigation.
- All requests to conduct a deception detection examination must be approved by the Chief of Police.
- Prior to requesting approval to conduct a deception detection examination:
 - o The officer shall establish sufficient facts to enable a deception detection examiner to adequately construct comprehensive and objective questions. All conventional methods of closing the case must have been exhausted.
 - o It is prohibited to request any victim of an alleged sexual offense as defined under Federal, State, or local law to submit to a polygraph examination or other deception detection examination. See JHPD Directive #463, Response to Crimes of Sexual Violence.
 - o Prior to asking any witness or victim whether they would be willing to submit to a deception detection examination, officers shall submit a Request for Deception Detection Examination Form.
- To ensure the appropriateness of the polygraph in the investigation, the Request for Deception Detection Examinations Form will be submitted and approved by the Chief of Police, via the chain of command, after consultation with the Office of the State's Attorney of Baltimore City.

- If approved, the Commander of the Investigation Division will forward the request to the certified and qualified deception detection examiner for scheduling. Any approved deception detection examinations shall be conducted in a JHPD Interview Room or the certified examiner's facility, and all members shall follow JHPD Directive #412, Custody, Transport, & Processing. (CALEA 42.2.8)
 - No witness, victim, suspect, or person in custody shall be compelled to submit to a deception detection examination, and the refusal to submit to a deception detection examination shall not be used to draw a negative inference about the witness's credibility. However, it may be disclosed to the prosecutorial authority, pursuant to JHPD Directive #461, Exculpatory & Incriminating Evidence.
- E. Photographs.** Officers are assigned cellular phones with a digital camera and BWCs for basic investigative photography. Photographs of a crime scene or traffic collision provide the investigating officers with a permanent record of the scene as it appeared upon arrival. All photographs shall be preserved and uploaded to the Records Management System (RMS). (CALEA 83.2.2)
- F. Confidential Informants.** The JHPD does not utilize confidential informants. (CALEA 42.1.6)
- G. Exculpatory evidence.** All exculpatory evidence shall be identified, retained, and provided to the prosecutorial authority, in accordance with JHPD Directive #461, Exculpatory & Incriminating Evidence. (CALEA 42.1.10)

IV. Investigation Division

Under the supervision of the Director, Special Services, investigators assigned to the Investigations Division are on-duty or available for activation through the Communication Center twenty-four hours a day to assist patrol officers by supplying investigative guidance and input or by responding and assuming control of serious investigations. (CALEA 42.1.1)

- A.** Serious investigations include incidents that may require complicated investigations, specialized skills, or more time than a patrol officer can dedicate to the investigation.
- B.** Follow-up on serious investigations will be assumed by an investigator assigned to the Investigations Division as assigned by the Director, Special Services, or their designee. (CALEA 42.1.4)
- C.** Once an investigator assumes responsibility for an investigation, they assume the responsibility for coordinating all facets of the case, to include producing required reports and conducting follow-up investigations as described above. (CALEA 42.1.4)

- Upon assuming control over an investigation, the investigator should meet with the responding patrol officer and be briefed on the known facts of the case. To the extent possible, the investigator shall keep the patrol officer up-to-date and involved in the follow-up investigation. (CALEA 42.2.3)

V. Case Management

- A. All open criminal incident investigations will be screened by the Investigations Division to determine if the incident has any solvability factors or special circumstances that would indicate the case should be assigned for follow-up investigation by the Investigative Division.
- B. The Investigations Division will also assign an appropriate administrative status designation based on the factors surrounding the case:
- **Open** - Criminal cases being investigated by office personnel are considered open while investigative activities, information gathering, interviews, and analysis is ongoing.
 - **Suspended** - Indicates all available leads have been exhausted, but the case has not been brought to a satisfactory conclusion and investigative efforts may be resumed.
 - **Closed** - By one of the following conclusions:
 - o **Arrest/Citation** - A person has been arrested or issued a citation and charged with this crime or a summons or criminal citation has been issued or served. This includes youth who are released to their parents when a youth citation, referral, or delinquency charge is completed. The closure documentation should explain what enforcement method was utilized and why it was the least intrusive and most effective method to resolve the incident, as well as detail the result of the criminal prosecution and an explanation of the outcome.
 - o **Unfounded** - Incident is false or baseless. An offense did not occur or was not attempted. The incident report should fully detail the facts that support this conclusion.
 - o **Exceptionally Cleared** - The offense did occur and the suspect and all relevant circumstances are known, but the case will not be criminally charged. This includes when alternatives to arrest or citation are utilized, such as a warning. The closure documentation should explain what enforcement method was utilized and why it was the least intrusive and most effective method to resolve the incident.

- C. Any time a criminal incident investigation is closed, whether cleared or leads are exhausted, the officer/investigator will make contact with the complainant and advise them of the final case status, if this was not done during other interactions.
- D. All original criminal incident investigation incident reports/documents related thereto will be maintained in RMS as the investigative case file, with any copies being maintained by the investigator until the case is completed. (CALEA 42.1.3d)
- E. Case files shall contain a copy of the preliminary investigative reports, photocopies of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes. (CALEA 42.1.3b)
- F. Each case file shall have a cover sheet that identifies the case status and includes:
 - Incident Complaint Number
 - Nature of Investigation
 - Date of Assignment
 - Date of Initial Report
 - Assigned Investigator
 - Supplement Report Due & Received Date
 - Investigation Status & Status Date
 - Victim (CALEA 42.1.3.a)
- G. No copies should be made of investigation files/reports except for law enforcement purposes or pursuant to request for information. (CALEA 42.1.3.d)
- H. Case files maintained in the RMS system will be accessible to Records personnel and JHPD members only on a need-to-know basis. (CALEA 42.1.3.d)
- I. Case files will be maintained and purged in accordance with the JHPD records retention schedule. (CALEA 42.1.3.e)

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this directive should be reported to the Public Safety Accountability Unit.

Related Resources

University Policies and Documents
Operational Procedure, #412, Custody, Transport & Processing
Operational Procedure, #461, Custodial Interrogation
Operational Procedure, #462, Eyewitness Identification
Operational Procedure, #463, Exculpatory & Incriminating Evidence
External Documentation
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			