

STANDARD OPERATING PROCEDURES



CRIMINAL INVESTIGATIONS DIVISION

HOMICIDE UNIT

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

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ENDORSEMENT SHEET

First Quarter Inspection:	<u>Lt. [Signature] #0903</u> Unit Commander	<u>1/5/2017</u> Date
Second Quarter Inspection:	<u>Lt. [Signature] #0903</u> Unit Commander	<u>5/4/2017</u> Date
Third Quarter Inspection:	<u>[Signature] 6515</u> Unit Commander	<u>10/6/17</u> Date
Fourth Quarter Inspection:	_____ Unit Commander	_____ Date
Annual Inspection:	_____ Section Commander	_____ Date



City of Miami



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STANDARD OPERATING PROCEDURES

MISSION, GOALS, AND OBJECTIVES

I. MISSION

The Homicide Unit's mission is the follow-up investigation of the below listed crimes:

- A. Homicides
- B. Suicides
- C. Accidental Deaths
- D. All other "Unattended" Deaths
- E. Use of Deadly Force by Police Officer when a person is injured or killed.
- F. Any In-Custody Death

II. GOALS

To properly integrate personnel time and resources for the successful investigation of assigned cases and the coordination of any grant programs.

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



MISSION GOALS AND OBJECTIVES
(Continuation)

III. **OBJECTIVES**

- A. To investigate all homicides and achieve a clearance rate comparable to the national average based on UCR statistics.

City of Miami



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STANDARD OPERATING PROCEDURES

DUTY HOURS AND DRESS

All personnel assigned, both sworn and civilian:

- I. The duty hours for the Unit Commander are flexible but normally 0700-1700 with half an hour for lunch. All other sworn personnel, supervisors and investigators, will work ten hour days with half an hour for lunch.
- II. The following represents shift scheduling in a ten hour configuration for Homicide Investigators:

A Shift – 0700 to 1700 hours
B Shift – 1500 to 0100 hours
C Shift – 2200 to 0800 hours

- III. The Typist Clerk II / Clerk II is on-duty from 0800-1600 with half an hour for lunch.



Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017
Effective Date



DUTY HOURS AND DRESS
(Continuation)

- IV. The following represents shift scheduling for the Stenographers with half an hour for lunch.

0700-1500 hours

1500-2300 hours

- V. A duty roster is submitted to the Section Commander one week prior to the start of the each new month listing the hours of work assigned to each investigator.
- VI. All personnel of the Homicide Unit shall wear appropriately presentable civilian attire.
- A. Suits, sport coats, and slacks may be worn year round.
 - B. When suits or sport coats are worn, a tie is mandatory.
 - C. Personnel not wearing a tie must have one available for immediate use.

City of Miami



DANIEL I. ALFONSO
City Manager

HOMICIDE UNIT

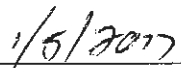
STANDARD OPERATING PROCEDURES

DUTIES AND RESPONSIBILITIES OF MEMBERS

- I. It is the responsibility of the Homicide Commander to provide leadership and direction. He will ensure that maximum effectiveness is achieved in the accomplishment of the unit's mission. His specific functions are as follows.
 - A. Responsibilities of Homicide Commander
 1. The Commanding Officer will maintain an environment that encourages the development of motivation and competence in his subordinates.
 2. The Commander is responsible for the development, implementation and ongoing evaluation of administrative, operational and control procedures that facilitate compliance with departmental policy.
 3. The Commander is responsible for ensuring that there are active incoming personnel transfer registers for the positions of Homicide Sergeant and Homicide Investigators at all times.
 4. The Commander will directly supervise the administrative support staff to include the unit's administrative aide, records custodian, crime analyst, and stenographer.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- a. The Homicide Commander will be advised of and respond at his/her discretion to whodunit (W.D.I.) murders and other crime scenes as needed. He or she is responsible for the overall direction of the investigative process.
- b. The Commander will continually evaluate the performance of his immediate subordinates through personal observation and a review of their work product.
- c. The Commander will implement a training program for investigators and supervisors newly assigned to the Homicide Unit. The Commander will assign a supervisor from the Homicide Unit as the Training Sergeant who will oversee the training and professional development of homicide unit personnel.
- d. The ongoing evaluation and control of overtime expenditures is the direct responsibility of the Homicide Commander.
- e. Liaison with other departmental units and appropriate outside agencies will be a priority of the Homicide Commander.
- f. The Homicide Commanding Officer will respond to all police shootings where a police officer or offender is shot.
- g. In cases involving the shooting of a person by a Command level officer, the Homicide Commander will assume the role of lead investigator in the taking of all statements.
- h. The Homicide Commanding Officer will approve all press releases prior to submission through the chain of command.
- i. The Homicide Commanding Officer will communicate with the Florida Department of Law Enforcement Supervisory Agent in Charge of police shooting and in-custody death investigations. This communication will take place immediately upon the Commander being made aware of the police shooting or in-custody death taking place.
- j. The Homicide Commanding Officer will give final approval or denial for the release of any reports, photos, videos, recordings or information sought in furtherance of any public records requests.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- k. The Homicide Commanding Officer must give approval prior to any reports related to homicide unit investigations being provided to any other Miami Police Unit or outside agency.

- l. The Homicide Unit Commander will ensure that the Homicide Unit is registered with the Federal Bureau of Investigations V.I.C.A.P. system, and that all members of the unit receive training on the program applications.

- B. Notification of the Homicide Unit Commander will be made, while on or off duty:
 - 1. Whenever a departmental report involving Homicide members requires review and on the scene investigation by a Command level officer, lieutenant or above. (These reports include Response to Resistance, Discharge of Firearms, Vehicle Accident, In custody death, etc.)
 - 2. Whenever a Homicide Unit member is admitted into a hospital, for any reason, while on-duty
 - 3. All homicides
 - 4. Any other time, on or off duty, when a Homicide Unit member desires the assistance of a Command level officer to deal with a professional or personal issue
 - 5. All police related shootings where the officer or offender is shot or seriously injured and transported to a hospital or trauma center.

- II. The Homicide Supervisors are responsible for guiding, directing and reviewing the activities of personnel assigned to their respective squads. They shall assign a lead investigator on all cases and act as case coordinators for their teams. They will ensure compliance with Departmental Orders, Rules and Regulations, Standard Operating Procedures, Applicable Laws and Lawful Orders of Superior Officers.
 - A. Responsibilities of Homicide Supervisors
 - 1. The Supervisor is responsible for the work product of his/her squad, including the correction of spelling and grammar, press releases, 301's, supplements and special bulletins.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

2. On homicide crime scenes, the Supervisor will maintain a leadership role and coordinate the activities of detectives and support personnel. The Supervisor will be responsible for informing the Unit Commander of those crimes or incidents listed under SOP 6 and 7. (i.e., major homicides, police related shootings, in custody deaths, etc.)
3. In addition to the primary supervisory duties, the Supervisor will perform such administrative tasks as the Homicide Commander deems necessary.
4. Supervisor's notebook: This will be maintained on all personnel assigned to the supervisor's team. This notebook will be available for periodic review by the Unit Commanding Officer.
5. Supervisor's Case Assignment Log: Each supervisor will monitor and maintain a Case Assignment Log. This provides a procedure for tracking cases assigned to team members, to ensure timely completion of supplementary reports and to show a record of cases assigned per member to aid in case assignment. Each supervisor will ensure the following case assignment protocols are adhered to:
 - a. Daily log in of the L.R.M.S. computerized reporting system
 - b. Review of the Homicide Unit file area within the L.R.M.S. system.
 - c. Review and assign cases located within the "to be assigned area."
 - d. Update the case disposition area within the individual cases being assigned.
 - e. Review and approve supplemental reports within the "to be approved area."
 - f. Change the case disposition status in LRMS once a case is closed.
 - g. Submit a monthly report to the Homicide Commander detailing the number of supplemental reports that were completed by each member of the homicide team.
7. Supervisors will be required, unless excused by the Unit Commanding Officer, to attend monthly Homicide meetings and be prepared to discuss current open and ongoing investigations.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

8. Each Supervisor will be required to actively work with the State Attorney's Office, Public Defender's Office as well as other concerned agencies and individuals in order to eliminate unnecessary court appearances for themselves and persons under their supervision. Every attempt should be made to schedule or reschedule court related appearances during on-duty hours.
9. Supervisors should become cognizant of their investigators' court related appearances with the intended purpose of securing successful prosecutions. Contact should be made with the State Attorney's Office to receive feedback on investigators' case preparation. If a prosecution is not successful due to an investigator's work product, supervisors will be responsible for taking actions to eliminate further case preparation problems. This may take the form of closer supervision or additional training.
10. It will be the responsibility of the Homicide Supervisor to monitor the training of all newly assigned Homicide Investigators. They will assign a Senior Detective from their respective teams as a trainer and ensure the newly transferred investigator is trained and mentored by this assigned individual.
11. It will be the responsibility of the Homicide Supervisor to suggest to the Homicide Commander the appointment of a detective from their respective homicide teams as the team trainer. This final approval of the team trainer position will be that of the Homicide Unit Commander.
12. It will be the responsibility of the Homicide Supervisor to meet with the Homicide Team Trainer to discuss the progress of the new investigator in training. This meeting will be followed up with a monthly training review meeting with the individual detective prior to transfer to another team.
13. It will be the responsibility of the Homicide Supervisor to schedule a meeting with the Homicide Unit Commander in the final week of the new investigators training month in order to discuss the progress made as well as recommendations.
14. It will be the responsibility of the Homicide Supervisor to brief the Homicide Commanding Officer of any homicides, questionable deaths, critical incidents, police shootings, in-custody deaths, any apprehensions of fugitives wanted for murder.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

15. It will be the responsibility of the Homicide Supervisor to assign investigators from their respective teams that may be required to travel outside of the City of Miami in furtherance of their duties.
16. It will be the responsibility of the Homicide Supervisor to inspect the Detectives assigned to their respective teams on a monthly basis. The Homicide Supervisor will inspect the individual for proper grooming and attire, vehicle, equipment, and proper documentation of activities within their investigator notebook.

III. The Homicide Unit Investigator is responsible for the overall coordination and follow-up investigations of assigned cases and other responsibilities in accordance with Federal, State and Local laws, Departmental Rules and Regulations, General Orders and Standard Operating Procedures.

- A. Police investigators assigned to the Homicide Unit are responsible for, but not limited to, performing the following duties:
 1. Responding to scenes of crimes when required and coordinating all aspects of a criminal investigation with all support units.
 2. Coordinating the creation of inner and outer perimeters for crime scene preservation according to CIS directives. Interviewing of witnesses, victims, etc.
 3. Interviewing of suspects for the intended purpose of securing sworn confessions taken under proper legal circumstances.
 4. Coordinating the identification and collection of physical evidence.
 5. Properly documenting all investigatory efforts and actions taken. This will be accomplished with the use of the investigator's notebook and by prescribed 301 Reports.
 6. Conduct neighborhood canvasses when appropriate.
 7. Prepare proper photo lineups as appropriate.
 8. Become proficient in the area of interviewing suspects and witnesses.
 9. In cases involving death, the investigator is responsible for identifying and notifying the next of kin.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

10. Become proficient in establishing probable cause for securing arrest and search warrants through the State Attorney's Office.
11. Conduct surveillances.
12. Become familiar with the capabilities and limitations of the polygraph and voice stress analyzer.
13. Coordinate with the Crime Analysts to develop "Wanted" Flyers for Departmental Bulletins.
14. Become familiar with capabilities and services provided by the Miami Miami Police Victim's Advocate office.
15. Become familiar with telephone and US Mail traces.
16. Coordinate BOLO information with the Communications Unit.
17. Cultivation and use of informants.
18. Follow the prescribed format for recording information for the 301 boards.
19. Channel all media requests to the Public Information Office.
20. Become familiar with procedures of the following internal and external agencies and utilize when appropriate:
 - a. Patrol Section
 - b. Crime Scene Investigations Unit
 - c. Gang Investigations Unit
 - d. Felony Apprehension Team
 - e. Internal Affairs Division
 - f. Miami Dade County Medical Examiner's Office
 - g. Rape Treatment Center
 - h. Miami-Dade Police Crime Laboratory
 - i. Emergency Room and Trauma Center at J.M.H.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- j. Miami Dade State Attorney's Office
 - k. U.S. Attorney's Office
 - l. Federal Bureau of Investigation.
 - m. Drug Enforcement Administration
 - n. Bureau of Alcohol, Tobacco and Firearms
 - o. Customs and Border Protection
 - p. U.S. Marshall's Service
 - q. U.S. State Department Diplomatic Security Service
 - r. U.S. Veterans Affairs Police Department
 - s. Miami Dade Police Homicide Bureau
 - t. Miami Dade County Corrections Department
 - u. Florida Department of Corrections
 - v. Florida Department of Law Enforcement
 - w. Florida Department of Juvenile Justice
 - x. Florida Department of Children and Families
-
- 20. Become proficient in taking sworn statements via recording devices and through a stenographer.
 - 21. Become familiar with the Automated Fingerprint Identification System (A.F.I.S.).
 - 22. Become familiar with the National Integrated Ballistic Information Network (N.I.B.I.N.).
 - 23. Become familiar with the Combined DNA Index System (CODIS).
 - 24. Become familiar with the Federal Bureau of Investigations Violent Criminal Apprehension Program (VICAP)

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

25. Become familiar with the Shot Spotter program
 26. Become familiar with the services offered by Crime Stoppers of Miami Dade County and follow up on leads processed by them.
 27. Become versed with securing Unlawful Flight to Avoid Prosecution (U.F.A.P.) Warrants, Interpol Red Notices, and Provincial Arrest Warrants through the Miami Dade State Attorney's Office Fugitive Unit.
 28. Ensure all individuals placed inside of interview rooms are properly searched and screened prior to being placed inside of the room. The interviewee will be searched and assessed for any injuries or medical conditions that would inhibit a safe interview to be conducted.
 29. Ensure if the interviewee is a juvenile that the Department of Juvenile Justice Log is filled out with all of the individuals required information as to include the corresponding dates and times of the interview.
-
- B. Police Investigators shall make a "second contact" with all victims (in non-homicide cases) and witnesses in open investigations. This second contact shall be made within the first thirty days of the investigation. The "second contact" will hopefully reduce any anxiety on their part and possibly additional information may be obtained or additional leads may be developed during this meeting.
 - C. Police Investigators will continue to communicate with the next of kin in all unresolved as well as closed homicide cases pending trial on a monthly basis. They will ensure to that they maintain a log of their conversations.
 - D. Police Investigators will immediately notify victims and their respective next of kin of any transfer of their lead investigators duties. The name and contact information for the newly assigned lead investigator will be provided to the next of kin during that conversation and the Homicide Commander will be advised of completion of this assignment by the respective investigator's supervisor.
 - E. Police Investigators will notify the next of kin when a change in the status of the investigation has taken place. This change in status refers to an arrest, a closure of the case by exceptional means, the dismissal of charges, or the taking of a plea arrangement with the defendant. The Police investigator will notify their respective immediate supervisor of the change in status. This change will then be reported to the Homicide Commander.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- IV. It is the responsibility of the Typist Clerk II to perform varied clerical work at the intermediate level, including the skilled use of the computer.
- A. Responsibilities of Typist Clerk II
1. Considerable knowledge of modern office methods and procedures.
 2. Considerable knowledge of business English, spelling and mathematics.
 - a. Type highly involved or intricate reports; type letters, forms and other material from copy, rough draft or dictating machine.
 - b. Compose and type routine correspondence, usually for signature of a supervisor.
 - c. Answer the telephone, assist the public in a courteous manner.
 - d. Prepare and submit unit payroll to the Payroll Unit on a Bi-weekly basis.
 - e. Receive, track, and forward all incoming correspondence and requests made to the homicide unit. This will include ticklers, interoffice mail, as well as outside correspondence.
 - f. Maintain a monthly updated unit personnel roster to include the unit P-Sheet, and emergency mobilization list.
 - g. Maintain the unit's office supplies and ensure the storage room is organized.
 - h. File all unit correspondence and paperwork.
 - i. Be proficient in the use of computer programs to include Microsoft Office.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- V. The Stenographer must take stenographic notes at high rates of speed and often under difficult conditions, requiring an unusually high degree of proficiency.
 - A. The Stenographer must be proficient in:
 - 1. The English language, including grammar, spelling and punctuation.
 - 2. Office methods and procedures.
 - a. Take verbatim dictation and transcribe notes of interrogations, interviews, confessions and statements often at the crime scene or in a hospital room.
 - b. Take dictation of letters, recommendations, reports and other matters related to police investigation procedures. Notarize sworn statements.
 - c. Perform other stenographic, typing and filing work as assigned.
 - d. Perform related work as required.

- VI. It is the responsibility of the Victim Advocate to act as a liaison between the Homicide Team and the victim's next of kin. The Victim Advocate will be available to respond on a twenty-four hour basis to assist a homicide detective at his/her request. The Victim Advocate will work under the direct supervision of the Homicide Lieutenant but will be available to all Homicide teams.
 - A. Responsibilities of the Victim Advocate:
 - 1. Respond to the scene of a homicide at the request of the Homicide Sergeant or lead detective and be available during all phases of the preliminary and follow-up investigation.
 - 2. Be available to accompany the Homicide Sergeant or Detective to various locations for the purpose of contacting next of kin or other persons as deemed necessary by the Homicide Supervisor or detective.
 - 3. Ensure patrol officers or investigators maintain the next of kin and witnesses are confined to the outer perimeter of a homicide scene and they are provided with a safe place free from interference by the media.

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

4. Ensure the victim's or next of kin's rights are guaranteed as prescribed by the Florida Constitution.
5. Ensure the next of kin receive proper attention from the homicide detectives assigned to the case.
6. When appropriate, ensure the Victim Compensation Claim Form is completed and forwarded to the Florida Attorney General's Office in a timely manner.
7. Ensure other supporting documentation is properly completed and a log sheet detailing contact information with the next of kin is maintained.
8. Provide next of kin with a pamphlet detailing their rights under Florida law. This pamphlet will be available in both English and Spanish and steps will be taken to translate into other languages as needed.
9. In addition to the functions listed above, the Homicide Victim Advocate will:
 - a. Assist with the return of property
 - b. Explain the right to submit an impact statement
 - c. Explain the right to request and receive restitution
 - d. Explain the right of the Victim Advocate to be present during a discovery deposition
 - e. Provide information concerning services available to surviving family members or next of kin
 - f. Provide information about the availability of crime victim compensation
 - g. Provide referrals for Crisis Intervention services
 - h. Provide referrals to victim treatment programs
 - i. Provide information regarding the role of the next of kin in the Criminal or Juvenile Justice System

DUTIES AND RESPONSIBILITIES OF MEMBERS:
(Continuation)

- j. Explain the Victim Notification Card and assist with its completion
- k. Notify a survivor's employer when he/she is needed for court appearances
- l. Maintain contact with next of kin at least once a week during the first month following the homicide and then twice monthly until the time of trial. This will be monitored by the Victim's Advocate Services Supervisor or designee.

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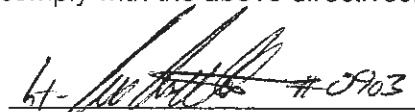
DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

POLICIES

- I. All cases are assigned to the individual investigators by the Team Supervisor. Related reports, information, messages, etc., will be placed in the investigator's folder within the L.R.M.S. program and their respective City of Miami Email account. It will be the responsibility of the investigator to check their individual L.R.M.S. accounts as well as their email daily or upon returning to work after excused absences. All unit personnel will also check their unit mailbox and remove the contents daily.
- II. Information pertaining to the Unit is posted on the Unit's information bulletin board. It is the responsibility of each investigator to make themselves aware of the posted information. This includes the Homicide 301 clipboard, the B.O.L.O. Clipboard, and the Non Homicide clipboard.
- III. Investigators are required to respond to and conduct on-scene investigations of any Homicide, Natural Death, Suicide, Accidental Death, and Unclassified Death. In the absence of an Assault Unit Investigator in assaults where the victim's injuries are life threatening a Homicide Investigator will respond to the scene.
- IV. Homicide Unit personnel will comply with the Departmental Orders, the Rules and Regulations and other Directives that govern all members of the Miami Police Department.
- V. Homicide personnel will monitor channel 1, and have their cellular phones.
- VI. It shall be incumbent upon each Homicide Supervisor to conduct periodic checks to ensure personnel assigned to their team comply with the above directives.


Lt. Carlos Castellanos
Commander
Homicide Unit


Effective Date



City of Miami

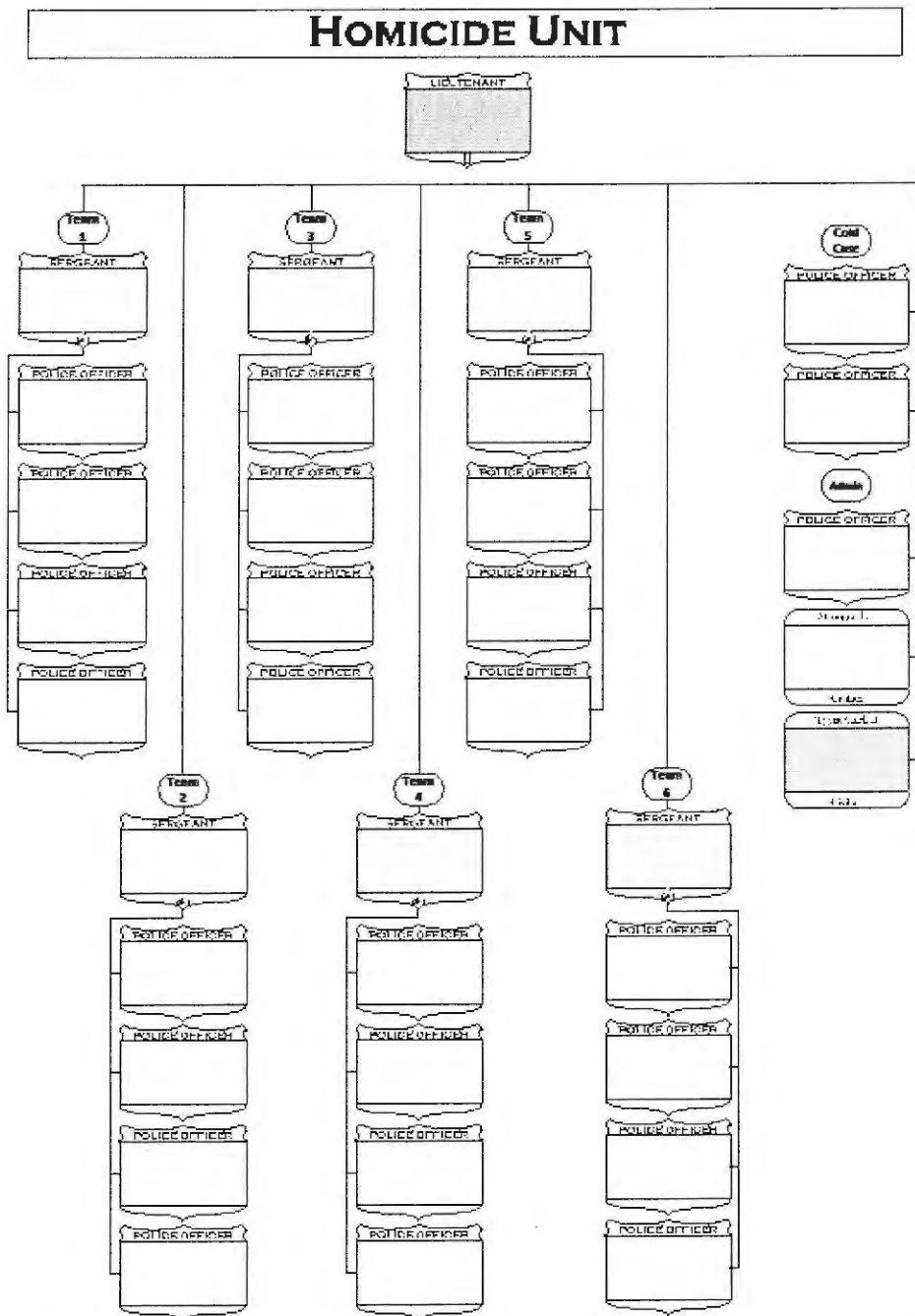


DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

Organizational Chart



H. Castellanos #023

Lt. Carlos Castellanos
Commander
Homicide Unit

2/5/2007
Effective Date

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 1

SUBJECT: Review of Reports, Memos and Other Written Documents

PURPOSE: To provide a policy for the review of reports, memos and other written documents.

SCOPE:

- I. All reports, memos and other written documents generated by members of the Homicide Unit will be reviewed and approved by the respective Homicide Unit Team Supervisor or his designee prior to submission to the Unit Commander. No report, memo or other written document shall be forwarded without the Unit Commander's approval.
 - A. No written communication shall be sent directly to any person, unit, section or division by any member of the unit without the approval of a supervisor and the homicide unit commander.
 - B. All reports, memos and/or any other written documents must be forwarded to its final destination through the proper internal departmental channels.

Lt. Carlos Castellanos
Commander
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STANDARD OPERATING PROCEDURES

SOP 2

SUBJECT: Investigator's Notebook

PURPOSE: To provide a procedure for the recording and use of the investigator's notes. Accurate and complete notes taken by the investigator are considered necessary for the completion of Reports of Investigation (301's), Supplemental Reports, Notes for Court Presentation, Overall Evaluation of the Activities generated in an investigation, etc.

- SCOPE:**
- I. All Homicide Unit Investigators and Sergeants will maintain a complete and detailed notebook of daily activities in chronological order.
 - A. Notebooks will be maintained indefinitely by the member to ensure its availability for review.
 - B. Notebooks will be used as a daily worksheet of all activities during each tour of duty.
 - C. Notebooks shall be subject to periodic inspection for the purpose of ensuring all requirements are being adhered to.

Lt. Carlos Castellanos #0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2007

Effective Date



City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES


SOP 3

SUBJECT: Requests for Investigation and Calls for Assistance

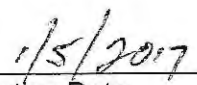
PURPOSE: To outline the procedures to be followed when a Homicide investigator is requested to conduct an investigation or provide other assistance.

SCOPE:

- I. All requests for a Homicide Investigator to conduct an investigation will be directed through the on-duty Homicide Sergeant or his designee via the appropriate police radio frequency (Channel 1).
 - A. All calls for Homicide service will be directed to the on-duty Homicide Team.
 - B. A Homicide Sergeant or his designee will be responsible for assigning a Homicide Investigator to the request.
 - C. Requests for information or notification of Homicide when there is no response or investigation needed, can be handled by any Homicide Investigator.
1. Any request for a Homicide Investigator to make a decision for another officer that does not involve a Homicide investigation should be referred to the requesting officer's first line supervisor or available patrol sergeant within the respective patrol district.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 3
(Continuation)

- D. When an officer contacts a Homicide investigator via police radio, the investigator will request a land line or cellular phone number to exchange/receive information.
 - 1. This is to reduce lengthy conversations that tie up the radio.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 4

SUBJECT: Crime Scene Preservation

PURPOSE: To provide the Homicide Investigator with a set of guidelines that addresses the responsibilities for crime scene preservation.

SCOPE: Homicide Investigators shall be responsible for crime scene preservation at any crime scene in which the Homicide Unit will have investigative responsibility.

- I. Upon arrival at a crime scene, the Homicide Investigator shall ensure that the scene is secured. Patrol Officers will be utilized to secure the crime scene with the black and yellow crime scene tape.
- II. The Homicide Investigator will be responsible for ensuring that the initial scene encompasses all possible evidence. The investigator will expand the crime scene perimeter as needed to accomplish this task.
- III. On all Homicide crime scenes, an inner perimeter and an outer perimeter will be established.
 - A. The inner perimeter shall include the area where evidence of the crime is located.
 - B. The inner scene area will be accessible only to the investigating Homicide Team, the assigned Crime Scene Investigators, the

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Commanding Officer of the Homicide Unit, on-duty Medical Examiners and the assigned Assistant State Attorney.

- C. All other police, medical and support personnel will be confined to the outer perimeter.
- D. The outer perimeter will keep the viewing public, media and onlookers at a distance that is sufficient so as not to interfere with or impede the investigation.
- V. The Homicide Investigator will be responsible for ensuring that no unauthorized personnel enter the inner or outer perimeter.
- VI. The Homicide Investigator shall ensure that a crime scene entry log is generated by the uniform patrol supervisor or his/her designee. This log is to be maintained and updated until such time as the crime scene is released by the Homicide Investigator. The Homicide Investigator will collect the crime scene entry log immediately after the release of the crime scene and place it in his/her case file.
- VII. All police personnel entering the inner perimeter will complete an initial report of investigation (301 report), which will document their activities at the crime scene. This initial report of investigation will list the name of the individual officer/investigator along with their identification number and agency, the purpose of their presence at the scene, and the dates and times of their activities to include the entry and exit from the crime scene.
- VIII. The Homicide Investigator will be responsible to account for and collect all reports of investigation related to law enforcement personnel who entered the crime scene.
- IX. The Homicide Investigator will be responsible to ensure that no evidence or suspected evidence is disturbed, moved or destroyed.
 - A. The investigator will not touch nor allow anyone to touch anything of suspected evidentiary value without gloves and not until the item is photographed and or documented appropriately.

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- B. Do not place or allow anyone to place anything on the crime scene. (Cigarette butts, coffee cups or food wrappers).

- VIII. The on-scene supervisor or designee shall generate a memorandum (through channels) to the Criminal Investigations Division Chief listing all individuals who entered the inner scene area without permission.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 5

SUBJECT: Response to Homicide Scenes


PURPOSE: To provide a policy for deployment of Homicide Unit teams to Homicide Scenes.

SCOPE:

- I. When the "On-Duty" or "Hot" Homicide Unit Supervisor, or the designee, is advised of a Homicide, the entire team shall respond to the scene, if practical. The "Hot" Team will be maintained on a twenty-four hour basis, seven days a week.
 - A. The team supervisor, or the designee, will automatically take control and evaluate what equipment, assistance, additional manpower, etc., will be required.
 - B. During the overlap time periods for each shift, when the "Hot" Homicide Team responds to a Homicide, the other on duty team supervisor will standby and be prepared to take over routine responsibilities.
 - C. It is incumbent upon the "On-scene" supervisor to contact the Unit Commander on all Homicides, or in his/her absence, the acting Commander.



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- II. The "On-scene" Homicide Unit team supervisor will be responsible for ensuring all proper notifications (Medical Examiner, State Attorney, etc.) are made and the crime scene and investigation processes are being coordinated.
 - A. Consideration should be given to assigning individual team members the responsibility of overseeing specific tasks, such as neighborhood canvass, collection of physical evidence, photographing of the scene, coordination with external agencies on-scene, etc.
 - B. All on-scene information gathered is to be documented and funneled to the team Supervisor and designated lead detective by completing a 301 report.
 - 1. An appropriate 301 (Report of Investigation) will be prepared prior to the end of the tour of duty and given to the team supervisor or the designee.
 - a. The team supervisor shall review the 301 and make sure it is available for the unit commander.
 - b. The team supervisor will ensure that an approved initial 301 report documenting the Homicide/Death is submitted to the City of Miami CID Homicide Group Email at the earliest point possible and prior to the lead investigator going home for the day and the end of the shift.
 - c. The team supervisor will ensure that a Medical Examiners Initial Report of Death is sent to the Miami Dade County Medical Examiner's Office prior to the end of the shift of the designated Lead Investigator.

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City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES


SOP 6

SUBJECT: Investigation of Major Homicides


PURPOSE: To provide guidelines for Major Homicide Investigations.

SCOPE: Major Homicides, for the purpose of this SOP, will include mass murders, political assassinations, the murder of an officer, discharge of firearms by officers (other than category ones), or any other case that requires an unusually large numbers of investigators. The designation of a particular case as a Major Homicide is the responsibility of the Unit Commander. Any case that will involve the full attention of more than one team is a Major Homicide.

- A. The Unit Commander will assume personal control of Major Homicides. He may designate a Team Supervisor or Detective as the Lead Investigator. The Unit Commander will coordinate the investigation and allocate resources as needed.
- B. The Unit Commander will coordinate to have a communication with the media through the Public Information Office Representative assigned to the case.
- C. The Unit Commander will pay particular attention to the need for designated personnel to coordinate statement taking, lineups, bulletins, tips, etc.
- D. Briefings should be called as needed to assure maximum distribution of vital information among the contributing teams and agencies. The



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Homicide Team Supervisor and Lead Investigator should be present at these briefings. In the event of the absence of the Team Supervisor, the Homicide Unit Commander will be notified and either designate an alternate supervisor or attend in the place of the Homicide Sergeant.

- E. News conferences will be called as needed, based on significant developments.

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City Manager

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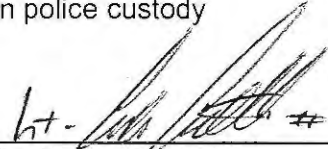
SOP 7

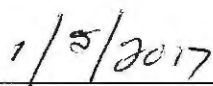
SUBJECT: Investigation of police related shootings, in custody deaths and life threatening injuries sustained by police officers of the Miami Police Department.

PURPOSE: To establish policy for the fair and impartial investigation of police related discharge of firearms, in custody deaths, and incidents in which a person sustains life threatening injuries as a result of police action.

SCOPE: To define the types of cases to be investigated and the procedures to be followed during the course of the investigation.

- I. The Homicide Unit will respond and augment the efforts of the Florida Department of Law Enforcement (F.D.L.E.), Police Investigations Team in all of the following cases.
 - A. All category 2, 3, 4 and 5 shootings. (See Departmental Order 6, Chapter 21.)
 1. Any person intentionally or unintentionally shot or killed by a police officer while on or off duty
 2. Any person who sustained life threatening or fatal injuries caused by a police officer
 3. Any person who died in police custody


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4. Any police related death where there is suspicion of criminal wrongdoing by a police officer
5. If any of the foregoing cases occur outside of the City of Miami, the investigation will be conducted by an agency having jurisdiction; however, the Homicide Unit will monitor and assist whenever possible.
6. Accidental discharges and discharges involving animals will be investigated by the Chain of Command and Internal Affairs.

II. Composition of Major Case Team

1. Commander of the Major Case Team will be one of the following:
 - a. Criminal Investigations Section Commander
 - b. Homicide Unit Commander
2. **Major Case Team Leader (Lead Investigator)** will be Homicide Unit Sergeant designated by the Homicide Unit Commander in the following cases:
 - a. All cases involving a hit, fatality or where the officer discharged his weapon at a person pursuant to the departmental deadly force policy.
 - i. On-duty homicide Unit detectives will immediately assist the Lead Investigator. Additional personnel will be called in by the Major Case Team Commander or Leader as required.
 - ii. Cases involving intentional discharge where a subject is not hit will be assigned to a Major Case Team Investigator.
3. Internal Affairs Investigator will be an on-call Internal Affairs Major Case Team designee. The Internal Affairs Investigator will be present during all phases of the investigation and is responsible for:
 - a. Observing all phases of the investigation to determine if there are any violations of administrative policies and procedures.
 - b. Working along with the Major Case Team Leader (Lead Investigator) and monitoring the investigation.
 - c. The replacement of the officer's weapon in coordination with the Major Case Team Leader (Lead Investigator) or his/her designee.

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- B. The investigative Support Team shall be made up of the following personnel:
1. **Homicide Detectives**: Detectives will be assigned to cases according to expertise and qualifications. This will ensure the most qualified investigators handle these more complex cases.
 2. **Crime Scene Unit**: On-duty personnel.
 3. **State Attorney's Office Representative**: This will be usually a Chief Assistant State Attorney. The response of this individual may be optional on Category 3 Shootings, but mandatory on Category 4 shootings.
 4. **Medical Examiner Representative**: This is usually the on-call Medical Examiner Optional at Medical Examiner's choice on Category 3 shootings, but mandatory on Category 4 shootings.
 5. **Public Information Office Representative**: Optional at Public Information Officer choice on Category 3 shootings but mandatory on Category 4 shootings. Release of information by the Public Information Office will be with the approval of the Criminal Investigations Section Commander or his designee.
 6. **Risk Management Representative**: Notification is mandatory only on Category 3 and Category 4 shootings.
 7. **Other Law Enforcement Representatives**: In the event that officers from any other Law Enforcement Agency (local, state or federal) are involved in the discharge of firearms incident, a command or management level official of that agency should be on the Major Case Team. Optional at agency's discretion on Category 1, 2, or 3 shootings but mandatory on Category 4 shootings.
- III. Homicide Unit Response
- A. The first homicide detective to arrive on the scene will be responsible for ensuring the following actions are taken:
1. The first homicide member notified will ensure his/her immediate chain of command is properly notified. A homicide supervisor will be responsible for ensuring that all Major Case Team Members and the On-Call State Attorney are notified. The Homicide Commander will contact the Florida Department of Law Enforcement Supervisory Agent in Charge of the Police Incident Team. Note: Communications will notify the Staff Duty Officer.

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2. All on-duty Homicide personnel will be notified by the Homicide Unit Commander and shall respond immediately to the designated staging area. Upon arrival of the Homicide Unit Commander or his/her designee, the Unit Commander will form a Major Case Team comprising of the most experienced, most qualified investigators to handle the complexity of such cases. The Unit Commander will designate a Team Leader from within this team.
3. Upon the scene being rendered safe by Patrol, the scene will be released to the Homicide Unit.
4. The scene will be roped off as far and as wide as possible to include an inner and an outer perimeter. All nonessential people will be removed.
5. Homicide personnel will preserve the scene and summon sufficient C.S.I. personnel to process the scene.
6. An incident Command Post is established as close to the scene as possible, but far enough to ensure that the Command Post does not hamper or interfere with the actual crime scene.
7. A Media Staging Area is established in coordination with the responding Public Information Officer ensuring that it is far enough away from the scene so that the investigation, evidence, and witness integrity are not jeopardized.
8. Homicide Investigators will take control of all witnesses, suspects, offenders and officers involved in any way as they size up the situation.
 - a. All police and civilian witnesses including those directly involved, will be separated (at the scene, on the way to the station, and at the station or other designated areas) to assure witness credibility.
9. They will promptly utilize officers and investigators (not involved) to assist with an area canvass for additional witnesses and evidence.
10. Once all steps to stabilize the situation and secure the witnesses and evidence are complete. The Homicide Commander and Supervisory Agent of the Florida Department of Law Enforcement

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will meet to discuss the case as well as the establishment of the next steps and follow investigation efforts.

12. The designated Homicide Team Leader will ensure that any further investigative follow up efforts by the City of Miami Police are immediately conveyed to the Supervisory Agent from the Florida Department of Law Enforcement and done only after there is agreement on their part as well as approval by the Homicide Unit Commander.
- B. Once the Homicide Team Leader (Lead Investigator) determines it is appropriate, the shooting officer(s) will be directed to the crime scene van or other location accompanied by his/her supervisor or another designated person.
1. A Crime Scene Investigator will collect the officer's weapon for processing, inspection and ballistics.
 2. Other evidence which the Team Leader deems necessary to collect from the officer (i.e. gunshot residue swabs, uniforms, etc.) will also be collected.
 3. Internal Affairs will coordinate the collection of the officer's weapon, counting of the rounds, and ensure the officer is issued another weapon.
- C. The Major Case Team Commander and the Homicide Team Leader will continuously assess the need for additional manpower and/or resources.
1. If additional resources are deemed necessary by the Homicide Commander on-duty personnel from other units will be utilized, whenever possible and feasible, before resorting to calling in additional off-duty Homicide Unit personnel on overtime.
- D. The Major Case Team Commander and the Homicide Team Leader will continuously coordinate activities and information at the scene, secondary scenes, hospitals, Medical Examiner's Office, the State Attorney's office, etc.
1. Homicide Sergeants and other Investigations Division Investigators will be stationed at such places when necessary.
- E. When possible, pre-interviews of witnesses (police and civilian) will be done at the scene by Homicide investigators working in conjunction with

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Agents of the Florida Department of Law Enforcement, to enable them to assess the situation and direct the investigation.

1. The lead investigator should, whenever possible, learn from the officers themselves who is involved and who is not involved as opposed to learning this information from a third person, i.e. an attorney or employee representative.
2. Witnesses (police and civilian) will then be transported to the Criminal Investigations Division and kept separate.
3. The following areas at the station will be utilized to separate people in a reasonably comfortable manner:
 - a. Homicide Unit Conference Room
 - b. Homicide Unit Interview Rooms
 - c. Criminal Investigations Division Conference Room, 5th Floor
 - d. Criminal Investigations Section Interview Rooms, 5th Floor
 - e. Training Classrooms, 3rd Floor and Police College
 - f. Cafeteria, 3rd Floor (if closed to the public)
- F. If necessary, consideration should be given to closing off all of the Investigations Division for witness privacy.
- G. The Major Case Team Commander will request assistance from the Staff Duty Officer, if necessary, to help coordinate security control for police and civilian witnesses.
- H. The officers who discharged their weapons or who were directly involved in the incident will be transported to the Homicide Unit Office. The Major Case Team Commander will ensure the subject officer(s) are monitored by a Major Case Team Member or designee.
 1. The major case team member or designee will ensure the subject officer is afforded a private area to meet with their attorney or their union representative if requested.
 2. The major case team member will ensure that these officers will be prohibited from discussing the case with any other officers or anyone else while this phase of the investigation is in progress.

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3. The major case team member assigned to monitor the officers directly involved in a discharge will ensure that the officer(s) not wash their hands until a Crime Scene Investigator has conducted the necessary gunshot residue swabs.
- I. Prior to taking sworn statements and at other appropriate times, when possible, the Major Case Team Commander will conduct a critique of the investigation and coordinate further investigative activities of the Homicide personnel to ensure the person selected to conduct the interview has all of the information related to the investigation. The following members of the Shooting Team will attend, when possible.
 1. Major Case Team Commander
 2. Major Case Team Leader (Lead Investigator)
 3. All concerned Homicide Personnel
 4. C.S.I. Unit Supervisor
 5. Assistant State Attorney
 6. Medical Examiner
 7. Internal Affairs Commander and Investigator
- IV. Taking Sworn Statements
- A. Sworn statement procedures of Officers; Sworn statements will be taken by the Lead Investigator in conjunction with the Special Agent in Charge of the investigation from the Florida Department of Law Enforcement..
 - B. Sworn statements shall be taken of all witnesses prior to attempting to obtaining a statement from any officer discharging their firearm or directly involved in an in custody death or life threatening injury.
 - C. Persons Present During Sworn Statements: The number of persons present at a sworn statement will be limited. Obviously, the presence of an excessive number of people will have an adverse effect upon the statement. The following are some of the people who may or may not be present during the taking of a statement, depending on the circumstances, and at the discretion of the Homicide Unit Commander.
 1. Civilian witness or officer

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2. Stenographer (note: a video or audio recorded statement will suffice in lieu of a stenographer)
3. Homicide Team Leader (Lead Investigator)
4. Internal Affairs Investigator
5. Special Agent from the Florida Department of Law Enforcement
6. Assistant State Attorney
7. Officer's attorney or representative
8. City of Miami Legal Advisor

Exception: Internal Affairs Investigator will not be present during the taking of any officer statements (witness or involved).

- D. Miranda Warnings: The Major Case Team's Lead Investigator will take officer statements. Miranda Warnings shall not be given unless there is probable cause to believe a crime was committed and the officer is in custody. (This decision will be made with the advice and consent of the Assistant State Attorney.) This will also be done in conjunction and in consultation with the Special Agent in Charge from the Florida Department of Law Enforcement in the investigation.
- E. Voluntary Statement: Any and all officers involved in a police shooting, when giving a statement, must be informed that the statement is not compelled, but is voluntary. (If there is any question about the voluntariness of the statement, the statement should not be taken.)
- F. Officer's Attorneys: Preserving the integrity of the investigation is of paramount importance. Therefore, attorneys representing the officers should not be permitted to represent and converse with more than one officer. They should not be permitted to talk to or interview any other witnesses in the case.
- G. Confer with Assistant State Attorney: The Major Case Team Leader will confer with the on-scene Assistant State Attorney regularly regarding these issues and other aspects of the investigation. The Major Case Team will also comply fully with current written "Police Shooting Policy" issued by the State Attorney's Office and adopted by the City of Miami Police Department.

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- V. Inter Agency and Intra Agency Coordination
 - A. The Major Case Team Commander shall be responsible for coordinating information with the Major Case Team members:
 - 1. Major Case Team Leader and other Homicide personnel
 - 2. Medical Examiner
 - 3. Assistant State Attorney
 - 4. Internal Affairs Commander
 - 5. Public Information Office representative
 - 6. Special Agent in Charge of the investigation from the Florida Department of Law Enforcement
 - B. The Homicide Unit Commander shall be responsible for coordinating information with all other Major Case Team members.
 - C. **The Major Case Team Lead Supervisor will consult with the Florida Department of Law Enforcement, State Attorney's Office and Internal Affairs to facilitate prompt determination of the administrative investigation. At no time will there be more than a month's time without direct communication to update each other on the status and progress of the case to ensure a collaborative effort in maintaining a line of communication among the various parties.**
- VI. Notification of Federal Agencies
 - A. The Homicide and Internal Affairs Commanders, through consultation with the State Attorney's Office, may consult with the appropriate Federal Authorities whenever they suspect a violation of Federal Civil Rights Statutes.
- VII. News Media Coordination
 - A. The Major Case Team Commander will coordinate information with the Public Information Office representative to develop all news releases. They will issue news releases and handle personal interviews at the scene and/or at a later date.

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- B. No Homicide Personnel will release information on police related shootings to the media aside from the Homicide Major Case Team Commander in conjunction with the assigned Public Information Officer.

VIII. Case File Preparation

- A. The Homicide Team Leader (Lead Investigator) will ensure that all 301 Reports are completed prior to the end of the tour of duty.
- B. The Homicide Team Leader (Lead Investigator) will ensure that a Homicide Case File is created and all reports, etc., are contained therein.
- C. A separate electronic file should also be created and preserved in the Unit's computerized U Drive.
- D. The Homicide Team Leader (Lead Investigator) will ensure that all reports, statements, sketches and submission of evidence to the lab are completed prior to the 72 Hour Conference.

IX. 72 Hour Conference

- A. The Major Case Team Commander will, within seventy-two hours of the incident, whenever possible, schedule a conference with the following Major Case Team members to discuss all aspects of the case.
 - 1. Homicide Team Leader (Lead Investigator) and all concerned Homicide personnel
 - 2. Internal Affairs Investigators
 - 3. State Attorney
 - 4. Medical Examiner
 - 5. C.S.I. Supervisor and Investigators
 - 6. Miami Dade County Crime Lab Technicians

STANDARD OPERATING PROCEDURES: S.O.P. 7

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- B. The Homicide Team Leader (Lead Investigator) will ensure that a copy of all reports and statements concerning the incident are prepared and submitted to the State Attorney and Internal Affairs at the 72 Hour Conference.

IX. Reenactment

- A. A reenactment of what occurred should take place while the events are still fresh and clear in the participant's mind. If a participant is unwilling or not able, a stand-in should be provided.
- B. The reenactment should be videotaped and photographed by the Crime Scene Investigations Unit. Extra caution should be taken to preserve the officer's privacy and the integrity of the information he/she is providing; therefore, filming by anyone other than the Crime Scene Investigations Unit should not be permitted whenever possible.
- C. To preserve the integrity of the investigation, any walkthroughs need to be conducted away from the media and should only be filmed by the police department.
- D. A Public Information Office representative will be on the scene and ensure that no filming is done by the local media.

X. F.O.P. Departmental Representatives or Attorneys

- A. Under the Bargaining Unit agreement and the Police Officers Bill of Rights, officers have rights which protect them. All investigators need to be cognizant of these rights while interacting with the officers involved.
- B. Any officer involved has the right to an F.O.P. Department Representative or attorney. In order to preserve the integrity of the investigation and minimize confusion, the Homicide Team Leader (Lead Investigator) should coordinate with only one F.O.P. representative for each officer. The F.O.P. representative who is representing the officer should identify him/herself to the Homicide Team Leader and inform him as to which officer he/she is representing.

XI. Fatalities

- A. In the event that a police related shooting results in a fatality, the Homicide Team Leader (Lead Investigator) or his designee will attend the autopsy.
- B. The documentation of the decedent's wounds and patterns may become crucial during the follow up investigation; therefore a Crime Scene Investigator

STANDARD OPERATING PROCEDURES: S.O.P. 7

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will also attend the autopsy and take departmental photographs and collect all evidence recovered.

- C. The investigator present will coordinate with the Assistant Medical Examiner and the Crime Scene Investigator.
- D. Investigative follow up steps during this stage may include but are not limited to, ensuring that the decedent's wounds are properly identified and documented and that the Medical Examiner's Office uses dowel rods to establish wound trajectories whenever possible and practical.
- E. The Homicide Team Leader (Lead Investigator) or his designee will ensure that he/she is present when notification is made to the decedent's next of kin.

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City Manager

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STANDARD OPERATING PROCEDURES

SOP 8

SUBJECT: Notification of the Medical Examiner.

PURPOSE: To provide for a uniform method of notifying the Medical Examiner or requesting the M.E. Wagon.

SCOPE:


I. Medical Examiner

A. The Medical Examiner is to be called to the scene of every homicide. In addition, the Medical Examiner will be requested to the scene of any death, as follows:

1. Strange or unusual circumstances.
2. Suspicious circumstances.
3. Suicides and suspected suicides.
4. Accidents, electrocutions, lightning, explosions, etc.
5. Indication of epidemic.
6. Traffic Deaths.



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- B. The Medical Examiner is to be notified of all police shootings whether they are fatal or non fatal.
- C. When in doubt on any case, notify the Medical Examiner and let him/her determine whether or not he/she will respond to the scene.
- D. The Assistant Medical Examiner to be called will be determined by the monthly list provided by the Medical Examiner's Office.

II. Method of Notification

- A. All requests for the Medical Examiner's Wagon or the on call Medical Examiner will be made by the on-scene investigator and will be done as follows:
 - 1. By any landline or cellular phone available to the investigator.
 - 2. Cellular phone.
 - 3. If no land line phone or cellular phone is available, then by mobile radio phone.
 - 4. If mobile radiophone is unavailable or inoperative, advise the dispatcher on the working channel of your request.
 - a. If the request is lengthy and you have information to be passed on to the Medical Examiner, have the Complaint Sergeant go to the proper channel and advise him to personally make the notification to avoid any communication problems in imparting your request.

III. It is the responsibility of the on-scene lead detective to make any notification and to follow the above guidelines in addition to providing prompt and accurate information.

IV. M.E. Wagon

- A. The M.E. office must be called to transport all bodies being sent to the Dade County Medical Examiner's Office. They can be reached 24 hours a day at (305)545-2400.

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City Manager

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SOP 9

SUBJECT: Notification of the on-call Assistant State Attorney

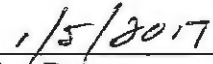
PURPOSE: To provide a procedure for the notification of the on-call Assistant State Attorney.

SCOPE: The on-call Assistant State Attorney must be contacted and should respond to the scene of all homicides, police shootings and in-custody deaths.

- I. The Team Supervisor will be responsible for the notification of the on-call Assistant State Attorney
 - A. The notification will be made once the on-scene Homicide Supervisor, or their designee, determines the case is in fact a homicide, police shooting or in-custody death.
 - B. The on-duty Homicide Supervisor or their designee will maintain a list of the Assistant State Attorneys on call and utilize this list when making the notifications.
 - C. The name of the Assistant State Attorney notified and the time of notification must be noted in the initial 301 (Report of Investigation).
- II. Other Cases and Circumstances
 - A. The Team Supervisor, or their designee, will notify the on-call Assistant State Attorney whenever they feel legal advice or input is necessary to make a decision in any case.



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City Manager

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SOP 10

SUBJECT: Reports of Investigation - 301's

PURPOSE: To provide a method for the reporting and documentation of the investigative effort.

SCOPE:

- I. Reports of Investigation (301's) are intended to:
 - A. Update the Unit, Section Commanders, Supervisors and Investigators with current information on ongoing investigations.
 - B. Documentation of the progress of an investigation.
 - C. Provide necessary information to complete the Supplemental Report.
 - D. Document the final disposition of the case.

- II. When an Investigator responds to a scene or is assigned to conduct an investigation, a 301 will be completed. The 301 will be reviewed by the respective supervisor and placed in the Commander's "in box" prior to the end of their tour of duty.

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- III. A 301 Report must be completed on the following investigations:
 - A. Homicides
 - B. Police Shootings
 - C. In-custody Deaths
 - D. Suicides
 - E. Accidental and Unclassified Deaths
 - F. Arsons and Bombings which involve Death
 - G. Any other incident when the investigator responds to the scene
 - H. Any incident or information of interest or value to other cases

- IV. Reporting the Progress of an Investigation
 - A. A 301 will be completed during each tour of duty that details any work done on a case. The completed 301 will be reviewed (if possible) by the supervisor and submitted to the Unit Commander before going off duty.
 - B. If the 301 report is returned for corrections or placement of additional information then the corrections will be immediately made to the report by the author.
 - C. The corrected 301 report will then be forwarded back to the reviewing supervisor and submitted to the Unit Commander before going off duty.

- V. 301 Distribution
 - A. The original 301 is submitted to the Homicide Unit Commander for review. After review by the unit and section commanders it is returned to the investigator to be placed in the case file.

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STANDARD OPERATING PROCEDURES

SOP 11

SUBJECT: Supplementary Reports and Report Format

PURPOSE: To provide a procedure for the recording of the investigative effort.

SCOPE: The completed Supplementary Report provides a summary of the investigation. All assigned cases require the preparation and submission of a Supplementary Report. The following guidelines will assist in the proper utilization of the supplement.

I. First Supplementary Reporting

The first supplement report for any investigation shall be completed within thirty (30) days of the on-scene investigation.

II. The first supplemental report will be turned in by the lead investigator to their immediate supervisor.

III. Additional Supplemental Reporting

For any continuing investigation, additional supplement reports shall be completed every thirty (30) days from date of the first supplement. Once an investigation is determined to be "No Further Investigation," "No Further Information" or "Closed," the final supplement shall be completed within fourteen (14) days.

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STANDARD OPERATING PROCEDURES: S.O.P. 11

(Continuation)

- IV. Team Supervisors are responsible for ensuring that a case file is maintained for each case assigned to his/her respective team members and for reviewing cases to determine their continued status, and supplemental reports are submitted according to the guidelines of this SOP.

- IV. All supplementary reports will be made according to the following format:
 - A. Supplemental Report Number
 - 1. First supplemental report, second supplemental report, etc.

 - B. Classification (Original Offense/Incident)
 - 1. Classification to remain the same
 - 2. Classification changed from _____ to _____

 - C. Status (What is current status of the investigation effort)
 - 1. Case cleared by arrest of offender
 - a. List name, DOB, address, phone number, charge and date of arrest. Note if there are other offenders
 - b. No further police action
 - 2. Case cleared ECA
 - a. Meet ECA requirements
 - b. List name, DOB, address, phone number, height and weight
 - c. No further police action
 - 3. Case filed NFI

STANDARD OPERATING PROCEDURES: S.O.P. 11
(Continuation)

- a. After a case has been assigned all investigatory leads have been exhausted and the investigation has reached a dead end
- b. Explain details in narrative
- 4. Case open, investigation continuing, pending . . .
 - a. Explain details in narrative
 - b. Further police action - Yes
- 5. Case open, investigation complete, warrant obtained, pending arrest of offender.
 - a. Further police action - Yes
- 6. Case closed, investigation complete

NOTE: It is not necessary to indicate "Pending Court"

- 7. Examples
 - a. Suicides
 - 1) Case closed investigation complete
 - b. Unclassified Deaths and other unclassified incidents
 - 1) Case open, investigation continuing, pending.
 - c. Police officer shootings resulting in Homicide
 - 1) Original offense/incident classified as "Unclassified Homicide, Pending Investigation"
 - 2) Supplement Report will change original offense/incident to the classification determined by the follow-up investigation

STANDARD OPERATING PROCEDURES: S.O.P. 11

(Continuation)

- 3) The deceased will be listed under the category "Person Shot" and the Police Officer will be listed under the category of "Discharging Officers"
 - 4) The status will generally be "Pending Inquest, case solved, investigation complete, ECA, killed by police.
 - 5) If investigation reveals other than a Justifiable Homicide, then appropriate offense/incident and status will be indicated
- d. List Victim
- 1) Name, DOB, race, sex, residence and employment addresses and telephones. Include criminal history of all victims.
- e. List Offender(s)
- 1) Name, DOB, race, sex, occupation, residence and employment addresses and telephones. (If arrested, list only as arrestee), Include criminal history of all offenders.
- f. The following two steps apply to only Murders, Police Officer Shootings and other offenses selected by the Team Supervisor or Unit Commander:
- 1) List all witnesses
 - a) Name, DOB, address, employment, phones and brief analysis. List whether or not a statement was taken if so by whom.
 - 2) List all evidence
 - a) Chain of custody

STANDARD OPERATING PROCEDURES: S.O.P. 11
(Continuation)

V. Unfounded Complaints

- A. Unfounded complaints are those which are determined to be false or baseless.
 - 1. Follow-up investigation has determined that the reported crime did not, in fact, occur.
- B. The following questions should be considered and reported in the narrative portion of the supplementary report when unbounding a report.
 - 1. Was there any visible evidence to indicate that a crime in fact occurred?
 - 2. Were there any additional witnesses to the reported crime?
 - a. If any of the above are answered "YES", it is not appropriate to classify the report as "unfound".

VI. Clearance by Arrest

- A. Clearance by arrest is determined when a person is arrested.
 - 1. Charged with the commission of the offense;
 - 2. And turned over to the Court for prosecution.
 - 3. Arrest of a principal aider, abettor, or conspirator permits a clearance by arrest even if charged with a lesser offense.

VII. Exceptional Clearances

- A. In certain situations, law enforcement officials are not able to follow the three steps outlined above for a "Clearance by Arrest". Yet, they have done everything possible to clear the case. If all of the following questions can be answered "yes", then the offense may be listed as exceptionally cleared.

STANDARD OPERATING PROCEDURES: S.O.P. 11

(Continuation)

1. Has the investigation definitely established the identity of the offender?
2. Is there enough information to support an arrest, charge and prosecution?
3. Do you know the exact location of the offender so that you could take him into custody now?
4. Is there some reason beyond law enforcement control that stops you from arresting, charging and prosecuting the offender?
 - a. The following are examples of some of the situations meeting the criteria of the above questions:
 1. Suicide of the offender (the person responsible is dead)
 2. Double Homicide (two persons kill each other)
 3. Dying declaration (the person responsible dies after making the confession)
 4. Offender killed by law enforcement officers or citizen law enforcement
 5. Confession by offender already in custody or serving sentence. If a decision is made not to prosecute for the admitted offenses, then exceptional clearances will be taken. If prosecution was started, the clearances would be by arrest.
 6. An offender prosecuted in another city for a different offense by State or local authorities or prosecuted for an offense which may be the same. (You attempt to return him for prosecution, but the other jurisdiction will not release the offender to you).

STANDARD OPERATING PROCEDURES: S.O.P. 11
(Continuation)

7. Extradition is denied

VIII. No further Information Status

A. After a case has been assigned and all investigatory leads have been exhausted and the investigation has reached a dead end.

1. All leads and the steps were taken to follow-up those leads must be thoroughly detailed in the narrative of the Supplementary Report.

IX. All homicide investigations must be brought to some kind of conclusion and a final supplementary report written within six months of the date of the crime. If the investigation is still pending at that time, consideration should be given to turning the case over to the cold case team for further investigation.

X. The Homicide Supplemental report will be maintained in an accordion folder with other documentation germane to the investigation. This information, such as crime scene photos, crime scene report, witness statements, etc. will be listed on a checklist to be initialed by the Homicide Investigator upon completion. This checklist is to become a permanent part of the investigative file.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 12

SUBJECT: Procedure for Murder Warrant Follow-up

PURPOSE: To outline the procedures for follow-up processing of murder warrants generated by the Homicide Unit.

SCOPE: Whenever a warrant is secured charging an offender with murder, the following procedures will be adhered to by the lead investigator or team supervisor to ensure warrant apprehension follow-up.

- I. The lead investigator or team supervisor shall obtain all pertinent information (photo, last known address, physical description, areas where offender hangs out).
- II. The lead investigator or team supervisor shall have the information printed and disseminated through a Crime Analyst Wanted Flyer.
- III. The Team Supervisor will notify the Felony Apprehension Team for assistance to apprehend the subject.
- IV. A press release shall be written containing all information on the offender, photograph of offender and warrant number.
- V. If the offender is apprehended by the actions of the Homicide Unit or any other unit the lead investigator will ensure a cancellation of the Wanted Flyer.


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Commander
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DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 13

SUBJECT: Patrol Liaison

PURPOSE: To establish a periodic exchange of information with the Patrol Section by attendance at Patrol Roll Calls by Homicide Unit Members.

SCOPE: A Homicide Unit Supervisor, or his designee, will report to Patrol Roll Calls on a monthly basis to exchange information that will increase the effectiveness and coordination of the Homicide and Patrol functions. The Homicide Unit commander will keep a log of all roll calls including shifts attended by Homicide Unit personnel.

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Commander
Homicide Unit

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HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 14

SUBJECT: Media relations and the release of information to the media.

PURPOSE: To provide a procedure for release of information to the media.

SCOPE: The nature of the Homicide Unit mission generates frequent contacts with representatives of the media. It is the policy of the Miami Police Department that all contacts with the media be coordinated through the Public Information Office.

- I. Care should be taken to release only information that is not prohibited by law, that will not harm or embarrass innocent persons, nor hamper the investigative effort.
 - A. All Homicide personnel should be cautious of pretrial publicity of homicide cases which could adversely impact on a defendant's ability to receive a fair trial.
- II. Specific information which could only be known to the perpetrator should always be held back to aid in subsequent interviews of suspects.

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- III. Specific information which shall not be released includes:
 - A. Any reference to informants including name and address.
 - B. Name and address of witnesses.
 - C. Specific information contained in any confession.
 - D. Name and address of juvenile suspects.
 - E. Name and address of victims of sexual assaults.
 - F. Names of victims in any death investigation must not be released prior to notification of next of kin.

- IV. A press release form (R.F. #18) will be completed by Homicide personnel when P.I.O. is unavailable and on the following cases if needed:
 - A. All homicides.
 - B. Fires and bombings involving deaths.
 - C. Any other newsworthy cases.

- V. The press release should contain the following basic information:
 - A. How police were alerted.
 - B. Date, time and location of incident.
 - C. Name, age and sex of victim (unless victim was also sexually assaulted or next of kin have not been notified).
 - D. Offender's name, age and sex (unless offender is a Juvenile).

STANDARD OPERATING PROCEDURES: S.O.P. 14

(Continuation)

- E. Charges against offender.
 - F. Case number.
 - G. A brief description of the incident.
- VI. After supervisory approval, the following distribution is made.
- A. Original to Public Information Office.
 - B. Copy to Case File.
 - C. Copy to Patrol District Major.
 - D. Copy to C.I.S. Commanding Officer.
 - E. Copy to Homicide Commanding Officer.
- VII. On major crime scenes, a representative of the Public Information Office will generally be present to establish liaison with the media and create a press release.
- A. Refer to the on-call Public Information Office list after hours for call out.
- VIII. Press Conferences and Interviews
- A. In most cases the Homicide Commanding officer or C.I.S. Commander will represent the department when the issues deal with homicide trends or major cases.
 - B. The team supervisor or lead investigator may be designated by the Commander to deal with the press on specific cases.
 - C. Direct contact with the media should be avoided whenever possible. All requests for information by the media to individual members of the Homicide Unit should be directed to the Public Information Office. This is the only way to insure fair distribution of information to all members of the media.

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- IX. Public Information Office
 - A. Requests from the media for interviews should be routed through the Public Information Office. Members of the media appearing at the station should be instructed to report to the Public Information Office.
 - B. All requests for interviews which are granted by the Public Information Office will be coordinated through the Homicide Unit Commander and an appointment will be set up. Interviews will not be set up to discuss the results of any open or pending homicide investigation.
 - C. All requests for media assistance will be routed through the Public Information Office.
- X. No exceptions will be made to this policy without Unit Commander, or higher authority, approval.

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DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 15

SUBJECT: Responsibility for arrestees and witnesses within the homicide office

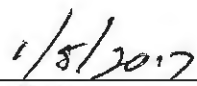
PURPOSE: To establish a procedure for handling arrestees and witnesses within the homicide office.

SCOPE:

- I. Homicide personnel will assume primary responsibility for arrestees and witnesses within the homicide office.
 - A. Assistance should be requested from transporting officers when appropriate.
 - B. Uniformed officers will resume their responsibility for arrestees when they leave the office with a prisoner.
 - C. At no time will non-sworn employees of the Homicide Unit assume responsibility for the custody of a prisoner.
 - D. Prisoners will not be left unattended or unmonitored in interview rooms or any other section of the office.
 - E. Discretion will be exercised when removing handcuffs of prisoners in the office. It is understood that in some cases the handcuffing of prisoners may interfere with development of rapport.

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- F. When an arrestee is interviewed, two investigators should be present.
 - G. Interviewing of juvenile arrestees will be conducted in compliance with Departmental Orders and applicable law. The homicide investigator who will be conducting the interview of the juvenile will ensure that efforts have been made to notify the parents or legal guardians of the arrested juvenile prior to any interview. The Juvenile Compliance Monitoring Form Log will be completed by the interviewing officer.
 - H. All arrestees will be searched prior to being placed into an interview room in the Homicide Unit. A metal detector will be available outside of the rooms and will be utilized when necessary.
-
- II. When prisoners are taken on location, appropriate security precautions must be observed. The prisoner must be handcuffed. Exceptions due to age, physical disability or injury must be approved by a homicide supervisor or above.
 - III. Arrestees who require immediate medical attention will be attended to without undue delay.
 - IV. Witnesses, after giving statements, shall not be left in an interview room after the taking of their statements is complete. Witnesses shall be asked to sit in the lobby area or conference room when their statement is over.
 - V. Investigators are reminded that if you relinquish the responsibility of transporting witnesses or offenders to another investigator or Patrol officer, ensure that the witnesses or offenders are introduced to the transporting officer. The homicide supervisor will be notified of any arrangements that are made prior to transport.
 - VI. At the beginning of each tour of duty, the oncoming "Hot Team" Supervisor or designee will be responsible for the inspection of each of the Interview Rooms. Rooms should be checked for classiness, property or unauthorized personnel.
 - VII. When not in use, and upon daily shift inspection, the interview room doors shall be kept closed. Supervisors or their designee will ensure that the rooms are empty of any occupants and there is no property or evidence that has been left inside. .

STANDARD OPERATING PROCEDURES: S.O.P. 15

(Continuation)

- VIII. Prior to the placement of anyone into the interview rooms the homicide investigator shall ensure that the video monitoring program is activated and recording. The recording shall be continuous and uninterrupted while there is anyone inside of the interview room.

- IX. Upon completion of the interview, and any follow up by Crime Scene Investigators, the interviewee shall be removed from the interview room. Upon removal of the interviewee from the interview room the recording shall be stopped.

- X. The homicide investigator will verify that the interview was in fact recorded and that it was saved and labeled with the correct case number and pertinent information.

- XI. If an interview for the purpose of obtaining a statement cannot be video recorded, the homicide investigator will record the interview on a digital voice recorder where permitted.

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DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 16

SUBJECT: Cold Case Team

PURPOSE: To define the mission and the duties and responsibilities of the Cold Case Detail.

SCOPE:

I. The Cold Case Team will be implemented by the Unit Commander, or higher authority, when manpower allocations are such to allow implementation.

II. Mission Statement


Dedicated to the pursuit of truth and presentation of facts in all investigations we are assigned utilizing personnel, training, techniques, technologies along with partnerships to bring closure for victim's families and facilitate the justice process.

II. Definition of Cold Case

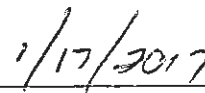
Homicide cold cases are defined as: Any unsolved homicide case that is open and remains unsolved, the original lead detective or members of the original assigned investigative team are not available to continue with their investigative responsibilities and the case meets the listed criteria outlined in this policy

III. Duties and Responsibilities of a Cold Case Homicide Detective

A. Cold Case Homicide Detectives will be experienced Homicide Detectives assigned to the Cold Case Team working under the supervision of a Cold

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STANDARD OPERATING PROCEDURES: S.O.P. 16

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Case Homicide Sergeant.

B. In addition to following all City of Miami Police written directives, the Cold Case Homicide Detectives will:

1. Review and follow-up all unsolved homicide investigations utilizing a Cold Case Solvability Protocol, in addition to any other investigation that may be assigned by the Cold Case Detail Sergeant.
2. Ensure that all general requests regarding unsolved homicides from the public, family members, or law enforcement personnel are documented and maintained utilizing current agency reporting, assignment, and tracking mechanisms.
3. Ensure the confidentiality and secure handling of all information, investigations, case files, reports, and anything associated with cold case investigations (any release or discussion of any information of this nature will require prior approval from the Cold Case Supervisor and the Homicide Unit Commander).
4. Evaluate the need and coordinate with the Cold Case Supervisor for intra/interagency assistance involving homicide investigations to include Florida Department of Law Enforcement, Miami-Dade Police Department, Miami-Dade Medical Examiner's Office, State Attorney' Office, Federal Bureau Investigation, and other agencies, etc.).
5. Ensure accurate, thorough and legible reports, notes and any other documentation related to cold case investigations utilizing the approved homicide format or as approved by the Cold Case Supervisor and specified by City of Miami Departmental Orders and Homicide Unit Standard Operating Procedures.
6. Utilize approved reporting methods and deadlines outlined in the Homicide Investigator Duties and Responsibilities but not to exceed current agency guidelines unless extenuating circumstances exist and only with the approval of the Cold Case Supervisor or Homicide Unit Commander.
7. Utilize a cold case approach to the investigation when solvability factors exist which include but are not limited to receiving D.N.A. or Fingerprint

STANDARD OPERATING PROCEDURES: S.O.P. 16

(Continuation)

results, letters from inmates or new crime stoppers tips and a full investigation is warranted with the direction and approval of the Cold Case Team Supervisor. This approach includes but is not limited to the following:

a. Initiating a 301 (Initial Report of Investigation), documenting the new efforts and information in the case.

(1) A complete list of all available individuals (past and present) associated with the investigation will be generated and updated; and

(2) A documented notification (i.e., email) to the Homicide Unit Commander of the re-opened case along with a copy of the 301 report authored by the Cold Case Team Investigator or Supervisor.

(3) A documented notification via email, as well as a phone call to the originally assigned prosecutor from the State Attorney's Office. If the original prosecutor is no longer available, the Homicide Duty on call prosecutor will be notified. This prosecutor will be briefed and utilized for all follow up investigative efforts requiring assistance from the State Attorney's Office.

b. A complete review of all available evidence and any new evidence associated with the case. This evidentiary review will include the current condition of the evidence, the benefit (past and present) of the evidence, the documentation, location and specific circumstances of where the evidence was recovered, any technology available associated with the evidence, a complete review of any and all processing that has been previously completed (lab, process, type, etc.), and the itemization and resubmission of the evidence for current testing, or retesting. Obtain or prepare a copy of all photographs on a CD/DVD.

c. A link analysis and assessment to establish additional crimes, patterns, methodology, historical or temporal changes or trends, and any specific information associated with the investigation;

d. An assessment and updated background of the target subject (i.e., victim[s]) and associated individuals, if needed), to profile behavior, methodology, historical or temporal changes, and any identifying personality traits and characteristics to aid in the investigation. This would be with the assistance of a Forensic Psychologist, Profiler or someone experienced in personality assessments and characteristics.

STANDARD OPERATING PROCEDURES: S.O.P. 16

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e. Schedule a staff meeting within or no longer than two weeks after sending the email notification of the case being re-opened, allowing time for members to review the case file.

f. A recreation of the original investigation by re-interviewing and obtaining statements of all individuals involved in the original investigation (when available) to include: law enforcement officers, witnesses, family members, spouses, former spouses, friends/associates, co-workers, co-defendants, inmates, intimate relationships (past and present), medical personnel, crime lab personnel, former prosecutors and support staff, employers (past and present), and any individuals both past and present that may assist in the reconstruction and information gathering process;

g. A proactive, concerted effort when targeting the suspect to be interviewed. This proactive efforts may include: surreptitious recording and/or surveillance, interviews, formal structured approaches, and any other approach within all legal and departmental guidelines; and

h. A formal case presentation to the State Attorney's Office upon conclusion of all investigative follow-up efforts.

(1) At this step a full presentation will be implemented and will outline all witness statements, evidentiary results, confessions, and any information that support an arrest and a successful prosecution.

(2) All cold case investigations will be coordinated with the State Attorney's Office prior to an arrest

8. Cold Case Detectives will ensure that the Case Management and Reporting Guidelines for the Cold Case Unit are strictly adhered to with exceptions approved by the Cold Case Supervisor. The Reporting and Case Management Guidelines are as follows:

a. All general inquires into a cold case investigation (telephone calls, family requests,

STANDARD OPERATING PROCEDURES: S.O.P. 16

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inmate information, patrol or detective initiated information, other agencies, etc.) will be documented in a 301 (report of investigation). The 301 report will utilize the original case number assigned to the homicide investigation at the time when the original incident took place.

(1) This 301 report will be a Homicide-Cold Case Information Report, which has been added to original case file and monthly cold case activity log.

(2) These reports will be generated on all requests or inquires and will require 100% assignment, even if the case does not meet solvability protocols.

(3) Many times the only information in the report will be the caller information, telephone number, and the nature of the inquiry. This will be documented in the narrative section of the report and updated later in a Supplemental Report, if needed.

b. All general inquires will require the detective to contact the complainant. Detectives will have 7 days from the time they are assigned the case, to make contact with the original caller and update them as to the status of the inquiry or obtain additional information, if needed.

(1) Detectives will have 30 days from the time of case assignments to review the case or information to determine if solvability factors exist. All follow-up, case reviews, subsequent or final calls, or the necessity to continue the review (the appearance that solvability factors may exist) will be documented on a 301 Report of Investigation as well as a Supplemental Report using the original incident's case number on or before the 45th day from when the original inquiry was documented.

(2) All supplements of this nature will be reviewed and approved by the Cold Case Supervisor. The report will then be forwarded to the Homicide Unit Commander for final approval. General inquiry supplements that require additional time (e.g., case review reveals solvability factors) will be granted on a case-by case basis, but not to exceed general homicide reporting guidelines (i.e., final supplement due within 120 days and arrest cases within 45 days of the arrest).

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(Continuation)

IV. Duties and Responsibilities of the Cold Case Homicide Sergeant

A. The Cold Case Homicide Sergeant will be an experienced Homicide Sergeant working under the supervision of the Homicide Lieutenant.

B. In addition to following all City of Miami Police written directives, the Cold Case Homicide Sergeant will:

1. Review and assign all incoming information regarding unsolved homicides in addition to any cold case or homicide investigation assigned or approved by the Homicide Lieutenant.
2. Ensure proper documentation of all general requests regarding cold case follow-up or investigations utilizing current agency/unit reporting, assignment, and tracking mechanisms.
3. Conduct a weekly cold case detail meeting for the purpose of disseminating administrative information.
4. Meet with the unit commander, at least, once a month to exchange details of significant developments on cases assigned to the cold case detail.
5. Read and approve all cold case reports, in addition to all supplement reports, logs, letters, and any other report relative to the unit.
6. Monitor the progress of all case reviews and on-going investigations.
7. Ensure that no official department or unit files leave the cold case office unless signed out and approved by the Cold Case Supervisor, or their designee, or Homicide Lieutenant.
8. All information and follow-up regarding any cold case investigation is strictly confidential. Cold Case Detail team members will not release any information without approval of the Cold Case Sergeant and the Homicide Lieutenant.
9. Approve all conclusions to any and all inquiries of a cold case nature and ensure an adequate explanation is given when a case cannot be investigated due to the lack of solvability factors (This is the sole

STANDARD OPERATING PROCEDURES: S.O.P. 16

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responsibility of the Cold Case Supervisor, Homicide Lieutenant, or higher authority).

10. Approve the initiation of any investigation where solvability factors exist, requiring a more detailed review, team review, or a full team investigation.

11. Coordinate and supervise all team investigations, meetings, presentations, or any activity or actions that utilize the Cold Case Detail Team.

12. Coordinate all intra/interagency actions or activities regarding the Cold Case Team.

13. Approve and coordinate all media inquires and information releases in keeping with Homicide Unit guidelines with the approval of the Homicide Lieutenant.

14. Ensure all team members are familiar with the information regarding cold case solvability protocols, the Cold Case Concept, and any other information regarding cold case investigations.

15. Ensure all other supervisory functions (as defined in all departmental, division, and unit guidelines) are adhered to in keeping with current Agency guidelines.

16. Be responsible for and ensure all evidence collected is properly processed and, when necessary, submitted to the Crime Lab for processing in a timely manner.

17. Manage the homicide records and logs databases to accurately reflect the status of assigned cases;

a. Ensure that due dates are monitored and updated as needed;

b. Ensure that case status is correctly reflected in the homicide unit's database and logs (all cases should reflect the appropriate status within one (1) working day of the final supplement report receiving final approval by the homicide unit commander.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES


SOP 17

SUBJECT: Reassignment of Open Homicides


PURPOSE: To establish a procedure for reassignment of open homicide cases upon the transfer of the lead investigator.

SCOPE:

- I. Prior to the transfer of any investigator from the Homicide Unit, the following shall occur.
 - A. There will be a meeting between the concerned investigator, his immediate supervisor and the Unit Commander.
 - B. The meeting will be for the purpose of reviewing all of the investigator's "Open" Homicides.
 - C. The "Open" Homicides will be reassigned to the investigator most knowledgeable about the case, if possible, regardless of their team assignment.
 - D. If there are no current investigators in the Unit who have knowledge of the "Open" Homicide, the case will be reassigned to an investigator on the same team.


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- E. Once the "Open" Homicide case has been reassigned to another investigator, his supervisor shall log that case in his assignment brief. The supervisor shall also review the case with his Team members.
- F. No investigator shall be allowed to leave the unit until a first supplemental report has been completed documenting those things which have been accomplished up to that point on each open case.
- G. It shall be the supervisor's responsibility to be sure no investigator accumulates open homicide cases for which no supplemental report has been completed.
 - 1. SOP 11 provides for thirty days from occurrence to first supplementary report.
- H. The investigator who is now no longer the lead investigator shall meet with new lead investigator. They will both speak with the victim's next-of-kin in order to maintain lines of communication with the family and police.
- I. The lead investigator will communicate with the victim's next-of-kin at least once every 30 days in order to check for any leads and provide an update on the status of the case.

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DANIEL J. ALFONSO
City Manager

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STANDARD OPERATING PROCEDURES

SOP 18

SUBJECT: Overtime

PURPOSE: To provide guidelines for the authorization, documentation, and utilization of overtime.

SCOPE:

- I. Regular Duty Overtime
 - A. Extension of regular duty

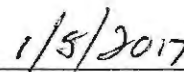
Generally, overtime will be granted only to complete vital tasks which cannot wait until the next tour of duty. No overtime will be granted under any circumstances without the expressed prior approval of the Unit Commander.

Examples of such tasks are as follows:

1. Completing interviews or sworn statements.
2. Obtaining and executing warrants when timely action is essential.
3. Completing essential paperwork, M. E. Reports, Arrest Reports, Initial Reports of Investigation (301).

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4. Completing crime scene tasks such as area canvass, directing I.D. in scene processing, etc.

B. Recall to Duty

Personnel may be called in while off-duty for the following reasons:

1. To pursue new leads or vital tasks that cannot wait until the next tour of duty.
2. To interview offenders who unexpectedly turn themselves in or witnesses who come to the station to give statements which cannot be taken by anyone else.

II. Court Overtime

- A. Homicide personnel will comply fully with all Departmental Policies established to regulate our appearance in the Courts and State Attorney's Office. Additionally, full compliance with the operating procedures of the Court Liaison Detail is expected.
- B. Court appearances and depositions will not be rescheduled from on-duty hours to off-duty hours.
- C. When arrangements are made to meet with prosecutors or public defenders, every attempt is to be made to meet during the investigator's regular working hours.
- D. It is the responsibility of the investigator to notify the Court Liaison Detail immediately of any change in a scheduled court-related appearance. Scheduled court-related appearances take precedence over schools, training, or any other activity.
- E. Investigators may attempt to reschedule depositions which conflict with important work activities.
- F. Conflicts in scheduling that may adversely affect vital work-related activities should be brought to the attention of the Unit Commander for resolution.

STANDARD OPERATING PROCEDURES: S.O.P. 18
(Continuation)

- G. Each member will be required to write on the rear of the Court Attendance Report (overtime slip) that they attempted to change all Pre-Trial Conferences and meetings with the State Attorney's Office to on-duty and why this could not be done.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 19

SUBJECT: Minimal Level Staffing

PURPOSE: To provide guidelines on minimum level staffing.

- SCOPE:
- I. There will be a minimum level staffing per shift of two (2) personnel. These personnel may be one (1) Sergeant and one (1) Investigator or two (2) Investigators.
 - II. There will be no exceptions to this policy. If only two people are scheduled to work due to a holiday or on midnight shift and one of them calls in sick or has an emergency, another person will be called in to work. This may necessitate V, EO, H, etc., days to be cancelled to be sure there are at least two people working at all times.

Lt. Carlos Castellanos #0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



City of Miami



ARTHUR NORIEGA, V
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURE

SOP 20

Subject Notification of Next of Kin

Purpose To provide a uniform procedure for the notification of next of kin or family members of victims killed or seriously injured in a violent crime.

Scope

- I. The notification of next of kin of parties killed or seriously injured in violent crimes is vitally important for identification purposes, statistical reporting and family closure.
- II. It is the intent of this SOP to establish a set of guidelines for the Homicide Detective to follow when notifying next of kin or family members following a violent crime.
- III. It will be the responsibility of the Homicide Supervisor to ensure that proper notification has been made and to follow-up on complaints where notification was not made.
- IV. When handling a violent crime, Homicide Detectives will make every diligent effort to ensure that the next of kin or a family member of a person who has been killed or critically injured has been notified.

Lt. Ricky Lopez #25762

Lt. Ricky Lopez
Commander
Homicide Unit

MARCH 03, 2020

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 20

(Continuation)

- A. Notification of next of kin or family members may be done in the following fashion:
 1. Following the on-scene investigation and prior to going to the hospital, the Homicide Detective should go to the residence or address obtained from the victim's identification. Should the Detective make contact with someone, he/she is to advise the person of the incident and the necessity of contacting the hospital that the victim has been transported to. Should the Detective find no one at home, he/she is to leave a business card on the door and contact a neighbor who might have a contact telephone number for a family member or next of kin. In all cases, a name, address, telephone number and relationship of that person to the victim should be obtained.
 2. The Detective may designate a patrol officer or public service aide to make notification on cases where there are critical injuries. As in the preceding paragraph, identification of the notified parties is to be obtained.
 3. Under **NO CIRCUMSTANCES** is the patrol officer or public service aide to make next of kin notification to families of Homicide victims. This will be the sole responsibility of the lead Homicide Detective.
- B. In cases where a victim resides outside of Miami-Dade County or the State of Florida, the Homicide Detective is to prepare a teletype to be sent through the 24-Hour Desk to the appropriate law enforcement agency requesting that they notify a next of kin or family member that the person has been the victim of a violent crime within the City of Miami. This information should contain the name and contact telephone number of the Homicide Detective.
- V. In cases where the critically or fatally injured person is not carrying identification and is otherwise unidentified, the Homicide Detective is to obtain a set of fingerprints at the earliest possible time. These fingerprints may be checked for matches with the Miami-Dade Police Department or the Immigration and Naturalization Service.
 - A. A complete physical description of the critically or fatally injured person is to be delivered to the Missing Persons Detail as soon as possible, as in many

STANDARD OPERATING PROCEDURES: S.O.P. 20
(Continuation)

cases missing persons reports are made. This physical description is to include any tattoos or other distinguishing features or marks. The contact number for the Homicide Detective is to be left with the Missing Person's Detective in case a missing persons report is filed.

- VI. The Homicide Detective should be helpful in assisting Social Workers at Jackson Memorial Hospital in notifying next of kin of injured persons but should not depend on them to perform this function.
 - A. Once contact has been made, the Homicide Detective is to introduce him/herself and offer assistance to the family as needed. As this is an on-going criminal investigation, the specifics of the case are not to be discussed with any parties other than the immediate family member.

- VII. The Homicide Detective should also verify if the victim is a foreign national. Once the victim is identified as a foreign national then the appropriate notifications should be made to the individuals foreign consulate or embassy in the United States.
 - A. The Lead Detective will also notify the Miami Police Communications Complaint Sergeant of the death of a foreign national in the City of Miami. He/she should ensure that the consular notification log entry is made in reference to their case and obtain a log number.

- VIII. The Homicide Detective or his/her designee shall contact the homicide victim next of kin, at least, every 30 days for the first twelve months of the homicide investigation. The Detective shall update the next of kin with the status of the investigation and offer him/her services provided by the Victim's Advocate Unit. This contact shall be documented in the Detective's notebook and Homicide Unit SharePoint - Next of Kin notification file.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 21

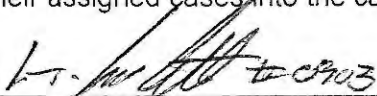
SUBJECT: Paperwork Routing Procedure

PURPOSE: The Homicide Unit has established personalized folders which will assist in the routing of paperwork.

SCOPE:

- I. The folders will contain the following:
 - A. Subpoenas
 - B. M.E. Reports
 - C. Property Receipts
 - D. M.D.P.D. Laboratory Reports
 - E. Original 301 Reports
 - F. Correspondence from Commanders
 - G. Incoming Mail

- II. It is, therefore, mandatory that all personnel review their unit mail box daily and file any and all material pertaining to their assigned cases into the case file.



Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 22

(Continuation)

- B. Completed Reports of Investigation (301's) will be placed on the designated clipboard and maintained for at least 30 days.
 - C. It is the responsibility of every supervisor and investigator to review all Reports of Investigations (301's) daily.
- III. Official and Chief's Bulletins
- A. The Official and Chief's Bulletins are mandatory reading by all members. They shall remain posted on the Official Bulletin clipboard.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 22


SUBJECT: Homicide Unit Information and Reporting Systems

PURPOSE: To provide a system of disseminating information to both civilian and sworn members through the use of various processes.

SCOPE:

- I. Homicide Unit Information Board
 - A. The information boards and City of Miami email account shall be reviewed by each member at the beginning of his or her tour of duty.
 - B. If a member is away from the Unit for longer than seven days, it will be his or her immediate supervisor's responsibility to assure that the member obtains the pertinent information upon his or her return.
 - C. The bulletin board and email accounts shall be used to post information such as work schedules, training schedules, safety concerns, and other pertinent information as well as directives from the Unit Commander.

- II. Report of Investigation (301) Clipboard
 - A. The Report of Investigation (301's) clipboard is located on the west wall in the Homicide Office.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 23

SUBJECT: Crime Scene photograph requests by the State Attorney's Office or Public Defender's Office.

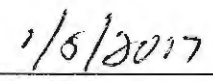
PURPOSE: To outline procedures for photograph requests.

SCOPE:

- I. Standard Procedure Homicide crime scene photos are supplied by the Crime Scene Investigations Unit to the Homicide Unit for case files without any request.
 - A. If additional prints or enlargements are needed for investigation purposes a Request for Photographic Services Form will be made and submitted to the photo lab supervisor. Requests for release of prints for persons crimes involving death or any death investigations will be subject to the approval of the Homicide Unit Commander.
 - B. Requests should be made as soon as possible to avoid rush or emergency requests.
- II. Procedure for State Attorney and Public Defender requests:
 - A. All requests for photos will be made directly to the Crime Scene Investigations Unit. Please refer to the Technical Services Unit, Photo Lab Detail, SOP 4, for instructions.



 Lt. Carlos Castellanos
 Commander
 Homicide Unit



 Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 23
(Continuation)

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES


SOP 24

SUBJECT: Release of Personal Property

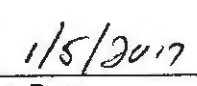
PURPOSE: To establish a procedure for the release of personal property from death and other scenes investigated by members of the Homicide Unit.

SCOPE: No items of personal property shall be released by any homicide personnel on any death or other scene to anyone.

- I. The Miami Police Department has an obligation to secure the personal effects of all citizens whose property may be stolen if it is not secured.
 - A. This may be accomplished by locking the doors of a house or apartment.
 - B. If locking the doors is not possible, every effort must be made to secure the property by some other method.
 1. That may include turning over the premises to a family member or landlord.
- II. Items of high value such as cash, jewelry, guns, etc., if no other means is available, must be placed into the Miami Police Property Unit for safeguarding.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 24

(Continuation)

- A. These items may be released to a bona fide family member in compliance with current Property Unit policy after a release has been authorized by the homicide supervisor and the property has been properly receipted and signed by the receiving person.

- III. In all cases where there is a question as to the rights to a deceased's personal property such as multiple claims, etc., all parties will be referred to the Probate Division of the Circuit Court.
 - A. It is not the intent of this policy to decide ownership rights, only to secure personal property against theft.

- IV. Whenever items of personal property are removed, a notation documenting the whereabouts of the property shall be made on the Medical Examiner's Report. A complete list of such items and/or property receipts shall be maintained in the case file.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 25

SUBJECT: Case File and Unit Information Security Public Records requests.

PURPOSE: To establish a procedure for the dissemination of information pertaining to all Homicide activities.

SCOPE:

I. Requests for Information

A. Law Enforcement Personnel (Internal and External)

1. All requests for access to or information pertaining to homicide cases from personnel outside of the unit will be referred to a unit supervisor who will be responsible for notifying the Unit Commander.
2. Requests for information on open pending cases from law enforcement officers (internal or external) shall be based upon a bona fide need to know basis. Open cases shall not be openly discussed during idle conversation. A unit supervisor must approve all requests for information.
3. The information requested and the identity of the requester shall be documented on a 301 and forwarded to the Unit Commander. The Unit Commander shall review and return the 301 for inclusion in the case file.

Lt. Carlos Castellanos #0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 25

(Continuation)

II. Case File Security

- A. Other than assigned Homicide Personnel, no one is to be allowed access to the Unit's file rooms. All persons attempting to gain access will be challenged as to their intentions and will be assisted by Homicide personnel if they have received authorization by the Unit Commanding Officer.
- B. The file rooms will remain locked at all times. It will be the responsibility of the on-duty supervisor to ensure file room security.
- C. The Unit Commander, Unit Supervisors, and Homicide Unit Records Custodian will maintain keys to the Unit file rooms.
- D. No Homicide files will be taken out of the file rooms unless properly signed out on the Unit Sign Out Log contained inside the file rooms. It is the responsibility of the on-duty supervisor to review the Sign Out Log and assure that files are signed back in.
- E. All files, when not being used, will be stored in the file room. Each team supervisor will ensure that this is being adhered to.
- F. When case files are returned to the file rooms, they are to be placed on the appropriate shelf. All files are maintained alphabetically by year except the outer file room which is alphabetical without regard to year.

III. All requests for information and/or copies of documents from case files from private citizens, companies or the news media shall be handled as public records requests.

- A. All public records requests must be in writing to the Department Legal Advisor.
- B. The Legal Advisor must review and approve all public records requests.
- C. The Legal Advisor will forward the approved request to the C.I.S. Commander, who is the designated records custodian of all homicide records. The C.I.S. Commander will then obtain and disseminate the requested information and/or records.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 26

SUBJECT: Equipment Issued by C.I.S.

PURPOSE: To ensure accountability and security of issued C.I.S. equipment.

SCOPE: When a member is transferred from the Homicide Unit, their immediate supervisor shall be responsible for collecting all C.I.S. issued equipment.

- I. The transferred member's supervisor shall collect the following items (if issued):
 - A. Investigator's Badge
 - B. Office Keys
 - C. Desk Keys
 - D. File Cabinet/Door Keys
 - E. S.O.P.'s
 - F. Any City equipment such as cameras, etc.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 26

(Continuation)

- II. These items shall be turned over to the Homicide Supervisor. He will be responsible for checking these items off and redistributing them.
 - A. When the above procedure has been accomplished, the supervisor shall prepare a written red-line memorandum to the Unit Commanding Officer reporting what equipment was collected.
 - B. An email will also be sent from the Homicide Supervisor to the Unit Commanding Officer confirming the return and accountability of all C.I.S. issued equipment from the departing member.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES


SOP 27

SUBJECT: Reading of Formal Statements and Confessions

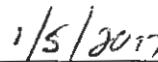
PURPOSE: To document the procedure for a witness or offender to be given the opportunity to read and sign their sworn statement.

SCOPE: All witnesses and offenders when possible shall be afforded the opportunity to read and sign their sworn statements.

- I. After the taking of a sworn statement by stenographer, the witness or offender shall be presented with the typed transcription of the sworn statement by the investigator who took the statement.
 - A. The witness or offender shall be given the opportunity to read the sworn statement.
 1. The witness or offender will be asked to initial each page of the sworn statement as an indication they have read each page.
 2. The investigator should also initial each page in the presence of the witness or offender indicating they observed the reading and initialing of each page.
 3. The witness or offender must be given the opportunity to make any corrections they feel are necessary to make the statement true and correct.



Lt. Carlos Castellanos
Commander
Homicide Unit



Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 27

(Continuation)

- a. These changes shall be made by the witness or offender in pen and initialed by both the witness or offender and the investigator.
4. At the conclusion, the witness or offender will be asked to sign and date the statement, in the presence of a notary, authenticating the contents as being true and accurate.
5. Both the notary and the investigator must also sign the statement indicating they observed the witness or offender's signature.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 28

SUBJECT: Records Retention

PURPOSE: To establish procedures for the efficient and lawful retention of records, including storage and eventual destruction.

SCOPE:

- I. Functions
 - A. Case files and records of all investigations conducted by the Homicide Unit will be retained permanently. This includes all death investigations and nonfatal police shootings.
 - B. All unsolved cases and most of our solved case files will be stored in the Homicide Unit file rooms and cabinets.
 - C. Every few years as space runs out, the older closed cases (solved with court disposition) will be selectively purged and stored permanently at a location determined by the Homicide Unit Commander.
 - D. All Homicide Unit Administrative Reports will be retained in the Unit's file cabinets for three (3) fiscal years. If thereafter superseded, obsolete, or of no administrative value, the proper statutes will be consulted, prior to destruction.

Lt. Carlos Castellanos #0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 28

(Continuation)

- E. Destruction of records will be performed in compliance with the State of Florida General Records Schedule for Law Enforcement Agencies, Florida Statute, Public Records Act, Chapters 119 and 257 and the Division of Library and Informational Services, Department of State's Manual which establishes schedules for retention of public records.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 29

SUBJECT: Victims' Rights

PURPOSE: To prescribe the procedures of notifying assault victims and/or next of kin of homicide victims.

SCOPE: Procedures of Notifications

- I. It is required to notify any victim, relative of a minor who is a victim, or relative of a homicide victim when an accused is arrested.
 - A. This notification must be made within forty-eight (48) hours after the arrest.
 - B. All personnel are to refer to the Miami Police Departmental Order 9, Chapter 6, for further and specific information regarding victims' rights.
 - C. Whenever possible, the assistance of the Victim Advocates should be utilized when contacting victims' next of kin or witnesses. The Victim Advocates are assigned duty hours 8:00 am to 5:00 pm, Monday through Friday, and are on call 7 days a week, 24 hours a day.

Lt. Carlos Castellanos
Commander
Homicide Unit

Effective Date



City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 30

SUBJECT: Photographic Identification General Guidelines

PURPOSE: To establish a procedure for showing witnesses Photographic Display(s) of suspects.

SCOPE: Whenever a witness will be shown a Photographic Display for the purpose of seeking an identification of a suspect/offender, the following procedures will be adhered to:

- A. **Use a Minimum of Six Photographs and Two Blank Sheets:** All of the photos should depict similar looking suspects – size, hair, race, age, etc. Photographs for photographic identification may be obtained from the Identification Section, Records, and Data Works Plus.
- B. **Block out or cover all Visible Notations:** In particular, names, dates, and other information should not be visible to witnesses. The Photo Display Folders should block out this information. If it is necessary to block-out or cover a notation on one photograph, then similar block-out or covering marks should be placed on all photos so that all will appear alike.
- C. **Witness Admonition:** Prior to showing the Photo Display Folder to a witness, the Photo Line-up Admonition, which appears below, must be read to the witness. The admonition form must also be signed by the witness and investigator(s).

 #0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 30

(Continuation)

SEQUENTIAL PHOTOGRAPHIC LINE-UP ADMONITION

"In a moment you will be asked to view a series of photos of individuals. It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

The person of interest may or may not be in this photo array and the photos are not in any particular order. I do not know whether the person being investigated is included in the photo array. Regardless of whether you make an identification we will continue to investigate the incident.

Keep in mind that individuals presented in this series may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change. Also, photographs may not always depict the true complexion of a person. The person's complexion may be lighter or darker than shown in the photo. Pay no attention to any markings or numbers that may appear on the photos or any other differences in the type or style of the photographs.

You should not feel that you have to make an identification. If you do identify someone, I will have you sign and date the photograph of the person you have identified.

The photos will be shown to you one at a time and are not in any particular order. Take as much time as you need to examine each photo. If you do make an identification before reviewing all of the photographs I will continue to show you the remaining photos. There are blank photos in the series. This is part of the normal process.

Since this is an ongoing investigation, you should not discuss the identification procedures or results.

Do you understand the way the photo array procedure will be conducted and the other instructions I have given you?

If so Please sign: _____

STANDARD OPERATING PROCEDURES: S.O.P. 30

(Continuation)

- D. ***Show the Sequential Photographic Lineup:*** Each witness should view the folders separately and individually. Do not allow witnesses to talk to one another during the photo line-up procedure. Witnesses must not be allowed to consult with one another about their identification either before, during or after the line-up procedure. Each witness making an identification should initial and date the back of the photograph he identifies.
- E. ***Witnesses' Comments:*** Comments by a witness who is shown photographs in a sequential photographic lineup should be recorded as part of a Formal Statement, if possible.

Witnesses should sign and date the back of any photographs selected and sign the Formal Statement. Witnesses should not be told that they have picked the "Right" or "Wrong" photo.

If a witness cannot make an identification, he/she may then be asked:
"Do any of the persons shown in the photographs resemble the person you saw?"

If the witness then selects a photo, he should be questioned about the reasons that particular photo resembles the suspect. These comments made by the witness should be recorded and made a portion of the Supplementary Report. The witness should initial and date the back of the photograph he selected.

This entire procedure should be video-taped with audio included. In the event that video-taping is not available the meeting with the witness for the purpose of showing a sequential lineup should be audio recorded with a digital voice recorder.

- F. The Photo Display Folders Containing all photographs and photo identification reports used in the photographic line-up shall be retained in the Case File for presentation in any subsequent court proceeding.
- G. The double blind method of showing the sequential lineup to a witness is the preferred method of application. The double blind method requires that the individual showing the lineup to the witness is not familiar with the investigation

STANDARD OPERATING PROCEDURES: S.O.P. 30

(Continuation)

at all and has no knowledge of who or where the suspect is positioned within the lineup.

- H. In the event that a double blind administration of a sequential lineup is not possible then the functional equivalent method shall be employed in the lineup procedure. The functional equivalent allows for an investigator with knowledge of the case to show the lineup to the witness with certain restrictions.
1. The suspect must not be in the first folder provided to the witness.
 2. The suspect folder must be shuffled along with the remaining folders with photographs.
 3. The position of the suspect's photograph must not be known by the investigator showing the lineup.
 4. The last two folders in the group of folders shown to the witness must contain a blank piece of paper.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 31

SUBJECT: Technical Aids for the Detection of Deception

PURPOSE: To establish a procedure for submitting witnesses, victims, and suspects to scientific testing (polygraph & voice stress) to establish truthfulness or deception.

SCOPE: The use of the Polygraph instrument or Voice Stress Analyzer is the worldwide standard for detecting deception in both the public and private sector. Therefore, the Miami Police Department should use these instruments when the need arises, as part of their investigative technique.

Since the Polygraph process requires that various sensors be placed on the examinee's person in order to register certain physiological changes during the examination, this process can be too invasive and/or physically demanding on certain individuals; such as the elderly or very young. In these rare instances, the "Voice Stress" process may be a valid alternative to the Polygraph for the detection of deception. The determination of when to use the "Voice Stress" process instead of the Polygraph, should be carefully made by the investigator, his/her supervisor as well as a Departmental Polygraph Examiner.

Lt. Carlos Castellanos # 0903

Lt. Carlos Castellanos
Commander
Homicide Unit

1/15/2017

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 31

(Continuation)

Based on the aforementioned explanation, the Miami Police Department will attempt to have:

1. Have available, on a 24-hour basis, at least ONE Polygraph and/or Voice Stress Examiner for investigative use, subject to call out if not on duty.
2. **All Polygraph Examiners shall be graduates of a Polygraph school approved by the "American Polygraph Association" (APA).**
3. ALL "Voice Stress" Examiners shall be graduates of "National Institute for Truth Verification" (NITV).
4. Permanently record the entire Polygraph process, by the use of audiotape as a minimum and video tape if available and appropriate.
5. Maintain ALL records, including the polygrams/charts, audio/video recordings and all forms and notes used during the examination process, as prescribed by the APA. Since this process may take many years or decades, these items should be kept in the case file and a copy placed into the Property Unit.
6. Both the Polygraph and "Voice Stress" instruments used for ALL testing, shall be approved by the APA or NITV, respectively.
7. Prior to Polygraph and/or "Voice Stress" examination of an individual, the appropriate forms shall be presented to the examinee for waiver and signing. These forms should include the following:
 - a. Miranda Rights Warning
 - b. Statement of voluntary consent to undergo the examination
 - c. Agreement of release of the results
 - d. Post examination release and confirmation

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

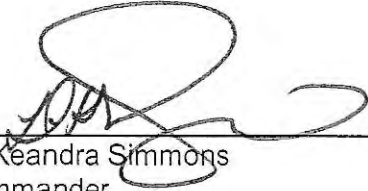
SOP 32

SUBJECT: Victim/Witness Re-Location Program

PURPOSE: The Victim Witness Relocation (VWR) Program is responsible for the protection and relocation of victims, witnesses or their family members who, as a result of cooperation in an investigation or prosecution of a felony offense, have been subjected to violence or other forms of intimidation, or are the subject of a substantial threat to commit violence as dictated under Florida State Statute 914.25.

SCOPE:

- I. The detail will maintain a liaison with other involved agencies, local, state, and federal concerns with the protection of victims and witnesses.
- II. On a case by case basis, the detail's supervisor or his designee, after consulting with the lead criminal investigator and State Attorney, will make a determination as to the eligibility for assistance of the victim/witness under the State Statute.



Lt. Keandra Simmons
Commander
Homicide Unit

10/13/17

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P. 32

(Continuation)

- III. The final authority to decide whether an individual will be placed into the program will be that of the Criminal Investigations Section commander or Chief of Investigations.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 33

SUBJECT: Hate Crime Reporting

PURPOSE: To provide a procedure on how hate crimes will be investigated and to assist officers in the proper reporting of a hate crime

SCOPE: The complete and proper reporting of any incident involving a hate crime is mandatory for our Department. Robbery and assault victims have indicated they were assaulted because of their national origin or sexual preference. All original incident reports must include as a type of offense/incident (box #12) an indication of the hate crime motive, i.e., robbery/hate crime, aggravated assault/hate crime, or vandalism, arson/hate crime. Also, for tracking purposes, the small bubble box next to hate crime must be filled in on paper reports.

- I. A hate crime is a criminal offense committed against persons, property, or society that is motivated in whole or in part by an offender bias against an individual or a group, race, religion, ethnic/national origin, gender, age, disability, or sexual orientation.
- II. All hate crime incidents will be reviewed by personnel in the Homicide Unit. The main crimes, robbery, etc., will continue to be investigated by investigators assigned to the various units within C.I.S.

Lt. Carlos Castellanos
Commander
Homicide Unit

1/5/2017

Effective Date



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(Continuation)

- A. All open cases for investigation will be assigned to individual investigators by the Assault Unit assignment person or supervisor.
 - B. Investigators are required to respond to and conduct an on-scene investigation of any hate crime involving serious injuries to the victim(s).
 - C. All hate crime investigations will be documented on a 301 report and forwarded through the chain of command.
- III. The motivation behind the act is the key element in determining whether an incident is hate related.
- A. The mention of a prejudicial remark does not necessarily make a criminal incident hate motivated anymore than the absence of such a remark makes the criminal incident a non-hate crime.
 - B. Investigators must rely on their investigative skills as well as probable cause to assist them in determining whether a specific incident constitutes a hate motivated crime.
 - C. Statements of victims or witnesses, as well as physical evidence, may be used to make this determination.
- IV. Evidence of prejudice while committing an offense; enhance penalties under Florida Statutes 775.085
- A. The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim.
 - 1. A misdemeanor of the second degree shall be punishable as if it were a misdemeanor of the first degree.

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(Continuation)

2. A misdemeanor of the first degree shall be punishable as if it were a felony of the third degree.
 3. A felony of the third degree shall be punishable as if it were a felony of the second degree.
 4. A felony of the second degree shall be punishable as if it were a felony of the first degree.
 5. A felony of the first degree shall be punishable as if it were a life felony.
- V. All reports of hate crimes will be reported to the Unit Commander for the particular crime.
- A. Our victim advocate administrator and a victim advocate will be assigned for whatever additional intervention is necessary with the victim.
 - B. Also, the involved NRO and NET Commander will be briefed on the incident and requested to assist with the intervention.

City of Miami



DANIEL J. ALFONSO
City Manager

HOMICIDE UNIT

STANDARD OPERATING PROCEDURES

SOP 34

SUBJECT: **Homicide Digital Forensic Detail**

PURPOSE: To establish the procedures and the mission of the Homicide Digital Forensic Detail.

SCOPE: The Digital Forensic Detail provides a variety of digital forensic laboratory and crime scene support services to the Miami Police Department Homicide Unit.

I. General Digital Forensic Detail Services/Mission:

- A. The Digital Forensic Detail provides objective digital forensic laboratory examination services, crime scene response services (in matters involving digital evidence), and digital network forensic services.
- B. The Digital Forensic Detail provides objective examination services on digital evidence seized pursuant to criminal investigations.

II. Definitions:

This section defines terms found within the technical manual. Although many of the definitions below are generally applicable, they are for use only in the interpretation of these guidelines.

Adam Walsh Act - The Adam Walsh Act states that in any criminal proceeding, child pornography contraband "shall" remain in the custody and control of the government and not be produced to defense counsel so long as the material is made "reasonably available to the defendant."

Lt. Carlos Castellanos
Commander
Homicide Unit

8/16/2017
Effective Date



The Walsh Act further states that child pornography contraband is deemed to be “reasonably available to the defendant” if the government provides “ample opportunity for inspection, viewing, and examination at a government facility” 18 U.S.C. § 3509(m) (2) (B).

Administrative Documentation – Reports, documents, search warrants, search plans, consent search forms, request for service forms, affidavits, or similar documents submitted by the submitting agency in conjunction with a computer forensic examination or field examination. These documents are stored in the examination folder.

Administrative Review - A procedure used to inspect an examination file for consistency, grammatical accuracy, and/or editorial review.

Bit stream copy – A complete bit-for-bit, sector-by-sector data copy.

Brady Material – Evidence and/or information of an exculpatory nature.

Child Victim Identification Program (CVIP) – A program facilitated by the National Center for Missing and Exploited Children (NCMEC), in conjunction with United States Postal Service, which serves as a clearinghouse in the United States for child pornography or other child endangerment cases and also serves as a main point of contact to international agencies for victim identification.

Child Victim Identification Program Disk – is a digital storage device, usually a compact disc (CD) or digital versatile disc (DVD), created by a computer forensic examiner. This disc contains either picture files or video files that are believed to be child pornography as defined by State Statute Chapter 847, of known or unknown persons who have been victims of sexual exploitation. This disc is submitted to the CVIP, through the United States Postal Inspector Service for further analysis and possible identification in accordance with their guidelines.

Data Acquisition – The process of duplicating or seizing data.

Digital Forensics – The identification, preservation, extraction, and documentation of stored data in any digital storage device for use in a legal proceeding.

Contraband – Any item, in whatever form it may be, that is illegal to possess, transmit, import, or export in accordance with the law. Examples include child pornography, counterfeit currency, etc.

Derived Data – Data that is extracted or copied from the original evidence as part of a forensic examination process. Copies, duplicates, images, and notable data are all categories of derived data.

Examination network – and isolated network used by the digital forensic section for the computer examination process.

Examination workstation - A computer on the examination network dedicated to the examination process. It is not used to examine original evidence items. It is not used to perform online functions. It is used to examine image files or other duplicated data.

Field examination – A computer examination in a location other than a secured computer forensic laboratory environment, such as the home or office of a suspect witness.

Forensic image file – An encapsulated computerized file consisting of a bit stream duplicate (or component) of the original evidence.

Image archives – Refers to the CD, DVD, tape, or other long-term immediate use archive image files. Image archives differ from work copy in that they are created for the purpose of long-term storage.

Investigator Assisted Examinations – A media examination in which the investigator views/searches forensically protected data for files of interest or notable data.

Laboratory examination – Any examination that takes place in a secured, law enforcement digital forensic laboratory.

Listserv – A virtual network of members united to both submit and receive information of common interest to all. (i.e. Digital Forensics Listserv)

Logical data acquisition (logical file copy) – An accurate digital reproduction of some or all of the information contained on the original evidence. A logical copy contains the file contents as represented (displayed) by the operating system, but the file attributes (system metadata) may change during reproduction and or analysis.

Major deviation – When an examiner is unable to apply established procedures, they may include the following circumstances: 1) when established procedures fail to work; 2) a new or unsupported hardware device or software operating system or program is encountered; 3) no procedure exists for a task that needs to be accomplished.

Minor deviation – When established procedure is slightly varied in order to overcome a proprietary or compatibility issue.

Notable data – Data determined by the examiner as relevant and material to the investigation and made available to the investigator for follow-up investigation. Notable data does not include the temporary flagging or bookmarking of data during the examination process.

Online research – A research procedure characterized by obtaining information using normal Internet tools and accessing publicly available websites in a non-investigatory manner.

Original evidence – Any physical item capable of holding digital data including the data itself, submitted to the DFU for examination. These items include, but are not limited to, hard drives, floppy drives, compact discs, and other removable media, and the data contained on such items.

Physical data acquisition – A method of data duplication where the entire contents of the drive are copied, including but not limited to, logical files, unallocated space, slack space, hidden partitions, reserved drive space, etc.

Privileged data – Information or data of evidentiary interest to a case that cannot be disclosed, or may be subject to limited disclosure, because of a legal privilege recognized by the State of Florida.

Technical (Peer) Review – A procedure used to review findings, reports, and notes, as well as any other technical aspect of an examination.

Technical reviews may focus on:

- Confirmation of the proper use of and/or operational reliability of forensic examination hardware/software;
- Confirmation of the accuracy, thoroughness of the examination, and reproducibility of the examination.
- A technical review may be for the review of a specific finding, process or methodology, or may encompass a general overview in search of discrepancies or omissions. On rare occasions, technical reviews may involve a complete or partial re-examination by the reviewer.
- Technical reviews may be requested by the primary examiner, a DFU supervisor, or may be included as part of the final review process. Generally, technical reviews are conducted by the most experienced digital forensic examiners. However, any certified examiner may be requested to perform a technical review.
- If circumstances necessitate, a technical (peer) review may be requested from another law enforcement digital forensic laboratory.

Wiping Data – The process of over writing every digital bit on a digital storage device from the first sector to the last for the purpose of erasure of the existing data.

Workaround – A method, procedure, or process used to overcome a hardware, software, processing, or procedure limitation that has not been previously established as a procedure or is a deviation from established procedure.

Work copy - Refers to derivative data that is created, copied, or duplicated as part of the examination process. Work copy does not have to conform to the strict standards of evidence and usually only exists for the amount of time necessary to perform the examination and appropriate reviews. It can be deleted or erased when no longer required in accordance with these guidelines.

Work product – Refers to information that was derived from the analysis of the files, data, material, or information on a digital device. An example may be a report or graph showing the total number of files and/or the type of files by file extension.

All “work copies” of data (forensic image files and clone restorations) may be considered work product. Work product may exist temporarily during the analysis process or it may be electronically stored on the examination report disk. If a printed copy is produced, it may be stored in the examination file.

Write Protect – Hardware or software methods of preventing modification of media data content.

III. Callout Criteria-After Hours Response:

- A. Any combination of one or more of the following callout criteria, shall be utilized to assess the circumstances requiring a Digital Forensic Detail examiner(s) to respond after hours to a crime scene or the Digital Forensic Detail laboratory;
 1. The item to be searched was obtained by a “consent to search” where the investigator has legitimate reason to believe that the consent would be withdrawn if there was a delay in conducting the acquisition or examination of the digital evidence.
 2. The on-site search for digital evidence is required to allow a legitimate business to continue operations.
 3. Circumstances exist that would lead the investigator to suspect that there is critical information on the digital device that may provide immediate leads in an ongoing investigation. These circumstances include, but are not limited to:
 - a. Exigent circumstances where data or the device might be otherwise lost.
 - b. A preview examination is required to prevent further criminal conduct.
 - c. Circumstances which indicate an imminently dangerous situation that may result in loss of life or property.
 4. Search incident to arrest for a felony-related crime where evidence might otherwise be lost.
 5. Circumstances where the investigator encounters a running computer system requiring data preservation during the shutdown process.
 6. Investigations involving computer systems suspected to be actively engaged in illicit communications over wired or wireless communications.
 7. Technical search warrant assistance that cannot wait until normal Digital Forensic Detail working hours will be handled as follows:
 - a. The first option of response will normally be granted to the “on-call” examiner, unless issues of a technical nature or availability arise.
 - b. Examiners responding to after-hours callouts will ensure that the circumstances meet the aforementioned criteria and notify a Digital Forensic Detail supervisor prior to response. Supervisors will assist the Digital Forensic Detail examiner in determining the resources needed to successfully fulfill the request with maximum efficiency.
 - c. Examiners contacted telephonically to assist investigators and uniformed personnel are generally not required to notify their supervisor unless a callout response will be required.

IV. Laboratory Security

A. Exterior

1. The Digital Forensic Detail laboratory is located on the fifth floor of the secured Miami Police Department Homicide office. The Digital Forensic Detail laboratory has one entry point. The door to the laboratory remains locked at all times, denying access to the laboratory.

B. Key Access Control

1. All Digital Forensic Detail personnel are assigned keys to the laboratory and internal storage areas of the laboratory.
2. Digital Forensic Detail personnel shall protect and maintain the office keys in a secure manner
3. Logs documenting office key assignment will be maintained.

C. Visitor Access

1. Visitors (all non DFD laboratory personnel) are granted entry to the laboratory by invitation only and are to remain escorted and/or controlled for the duration of their visit.
2. All visitors will be met at the door by a member of the Digital Forensic Detail. Visitors will be required to sign the Visitor's Log Book documenting their escorted access to the laboratory. Digital Forensic Detail personnel will maintain the log and the Digital Forensic Detail sergeant reviews it monthly to ensure its completion.
3. Custodial personnel will only be granted access when laboratory staff is present.

V. Case Examination Intake

- A.** Evidence may be submitted directly to the Digital Forensic Detail between the hours of 8:00 am and 5:00 pm., Monday through Friday. It is mandatory that the investigator contact Digital Forensic Detail personnel in advance.
- B.** Investigators participate in an intake interview (in lieu of a submission form) where they briefly describe the facts of the case and the examination request. This information is recorded in the Digital Forensic Detail database. If available, a copy of the search warrant affidavit, warrants, consent forms, police reports, and arrest forms may be placed in the case

file to help the examiner understand the case circumstances and to assist in the creation of keywords or other search criteria.

- C. Digital Forensic Detail personnel must determine the urgency of the request. Factors for consideration may include consent or conditional consent from an owner, situational complications, search incident to arrest, potential flight of a suspect, endangerment situations, etc.
- D. Evidence requiring laboratory fingerprint analysis or DNA/biological analysis should be immediately forwarded to the respective laboratory section prior to submission to the Digital Forensic Detail for analysis.
- E. Evidence with bio-hazardous dangers may require Digital Forensic Detail personnel to utilize special protective equipment for packaging and/or analysis. All evidence designated as bio-hazardous will be prominently labeled as "BIO-HAZARDOUS."
- F. Digital Forensic Detail personnel must determine if, at the completion of the examination, items submitted will be immediately returned to the submitting agency for eventual disposition (return to owner, long-term storage, etc.).
- G. A Digital Forensic Detail examiner will sign for receipt of the evidence (property receipt) and a laboratory case number will be issued.
- H. A description of the items submitted (evidence inventory) will be recorded in the Digital Forensic Detail laboratory database. When applicable, Digital Forensic Detail personnel should take care to record existing damage or other descriptors of note. Due care should be exercised when handling items determined to have been contaminated with biohazard material. Should the process of evidence inventory require an extended period of time (overnight, multiple days) to complete, care should be taken to store the items away from non-laboratory personnel traffic areas.
- I. Computer systems and media are photographed and stored within the Digital Forensic Detail computer network. If numerous external media are submitted for examination, examiners may elect to selectively photograph items before or during the examination.
- J. Examiners conducting the intake will ensure all property received from investigators is inventoried, accounted for, and properly packaged.

VI. Search Authority Assessment for Case Examination Submissions

The submitting law enforcement official requesting the search examination is responsible for ensuring that sufficient legal authority

exists for the search/examination being requested. The following types of search authority may be presented at the time of submission:

- A. Search Warrant – Copies of the signed warrant are required to be presented at time of submission and if applicable, must address the issues of both seizure and examination.
- B. Written Consent – Copies of the signed consent are required to be presented at time of submission.
- C. Found Property Searches – Limited search to identify the ownership information of found or stolen digital devices.
- D. No standing Privacy Searches – Searches of devices belonging to deceased persons with no standing for privacy challenges.

VII. Examination Folders

- A. Examination folders will be created for all examinations that are criminal and administrative in nature, and require the storage of printed material.
- B. Each folder will have affixed to it a label bearing at minimum, a laboratory case number, submitting agency, type of case, date of submission, and search authority.

VIII Evidence Handling

- A. Submitting law enforcement personnel should properly package evidence for submission to the Digital Forensic Detail laboratory in accordance with the Departmental Orders.
- B. Upon acceptance of the evidence by Digital Forensic Detail laboratory personnel, personnel will sign for receipt of the property on behalf of the laboratory. The reason block of the property receipt should be filled in as "Lab Intake."
- C. Examiners will use due care when handling or transporting evidence.
- D. Transportation of the evidence will be accomplished in a safe manner; protecting both the safety of laboratory personnel and the integrity of the evidence. Bio-hazardous items will be appropriately labeled and packaged.
- E. Due to the inherent time it takes to transfer data to forensic computer images, it may be required that original evidence is left unattended in examiner cubicles within the secure confines of the DFU for extended periods of time.

- F. On occasion, a court order or circumstance may require that evidence be released from the custody of the MPD to another law enforcement agency so that it may be examined at a location other than the Digital Forensic Detail. Digital Forensic Detail personnel shall ensure that the chain-of-custody is preserved and the evidence is protectively packaged for transport.
- G. In the event evidence is released back to the custody of the owner, business, or other non-law enforcement personnel, it shall be the responsibility of the lead investigator (or their supervisor) to ensure that the release is both investigative and legally appropriate, and to issue the authorization for release. Digital Forensic Detail personnel shall not be required to interact with computer users, owners, or attorneys, or delve into matters requiring legal authorization for the release of evidence.

IX. Case Assignment and Priority of Assignment

- A. Cases will be assigned to examiners by the digital Forensic Detail sergeant or their designee. Considerations for assignments will be based on priority, examiner training, availability, workload, or a combination thereof.
- B. Priority assignments will be based on the following criteria or a combination thereof:
 1. Endangerment situations (current or future risk of danger/injury to persons or property).
 2. Consent-to-search situations where there is a high risk that consent might be revoked.
 3. Exigent circumstance(s) where a delay in performing an examination might result in a loss of evidence. (I.e. evidence needed for imminent critical investigative interviews, imminent court proceeding, etc.)
- C. Generally, computer forensic examinations not receiving a priority status will be assigned and/or examined when practical, taking in consideration examiner availability, workload, etc.

X. Other Digital Forensic Examiners Assisting the Digital Forensic Detail

With Supervisor approval, other examiners/investigators may assist Digital Forensic Detail personnel with all aspects of the practice of digital forensics, provided they have received adequate training and possess the experience to do so.

XI. Laboratory Examination Operations

The following is a guide for laboratory examination operations:

- A.** The technical procedures in digital forensic examination are evolving as fast as the technology it incorporates. Because the situations and circumstances involving the use of computer technology are so diverse, this technical manual should be interpreted as an overview of the methodology used during the computer forensics process and as a guideline of flexible protocols for the operations of the Digital Forensic Detail.
- B.** Examinations should follow the general procedural rules set forth in the following sections, but the examiner determines the best possible tools and course of action for each individual case. Examiners should make these determinations based on their knowledge, training, experience, and level of proficiency as well as consulting with supervisors and peers for guidance.
- C.** Examiners should refer to software and hardware manufacturer's references, including printed user training manuals, listserv data, online forms, and other available literature.
- D.** Examiners should consult other recognized professionals in the field of digital evidence.
- E.** Examiners should understand the utility of the hardware and software used for examinations including limitations, and strive to become familiar with new tools and procedures as they become available.
- F.** Suitable examination strategies can only be made at the time of the examination by the forensic examiner assigned, assisting, or supervising the examination. Given the same circumstances, all examinations would ideally adopt the same analysis protocol, but in practice, the extent to which such standardization can be achieved may be limited by the examiner's experience, availability of tools or equipment, unique circumstances of the examination, or a variety of other variables.
- G.** Examinations should be limited to the examiner's knowledge, training, experience, and level of competence.
- H.** All findings and opinions issued by the examiner should be unbiased and objective.

 - 1.** A pre-examination assessment should be made by the lead investigator to determine if the submitted digital device requires other forensic processing which may take precedence over the electronic examination (i.e. DNA examination, fingerprints examination).

- I. Evidence with bio-hazardous dangers may require Digital Forensic Detail personnel to utilize special protective equipment for packaging and/or analysis. If possible, CSISS authorized chemical solutions will be used to clean/biologically sanitize evidence prior to handling, allowing the examiner to safely interact with the device and to avoid laboratory contamination.

J. Digital Media Examination Preparation

1. Media Sanitizing/Wiping

- a. It shall be a general recommendation for laboratory personnel to wipe hard drives (one pass) when they are newly purchased or being recycled between examinations. In addition to the obvious benefits of sanitization, the wiping process becomes a diagnostic indicator of the operational reliability of the drive. The general guideline of wiping does not prohibit non-wiped drives from being used for an examination.
- b. Examiners using non-wiped drives for acquisition/examination will create directories unique for each case and will operate/examine from within the confines of those delineated directories.
- c. Examiners will ensure that unrelated data on the drive is not comingled. Examiners will segregate unrelated data between cases, and dispose of unnecessary orphaned logical files residing on the drive prior to beginning an examination on a new case.

2. Forensic Computer Preparation/Calibration

- a. Prior to the initial daily use of a forensic computer, examiners will:
 - 1) Verify the time and date settings on their forensic work station.
 - 2) Flush the recycle bin.
 - 3) Empty temporary and export files if they reside on the forensic computer.
 - 4) Ensure updates to system hardware and software, including, but not limited to, anti-virus, Operating

System (OS), and forensic analysis software/hardware are performed as needed.

3. Media Write Protection

- a. Original evidence must be hardware/software write-protected when possible. If write protection is not possible, this must be documented.
- b. Types of write protect available:
 1. Hardware write blockers.
 2. Software write blockers.
 3. Physical write blocking mechanism built in to the media.
 4. Proprietary write blocking software.
- c. Examiners may use their choice of write blockers considering reliability, availability, and speed of data transfer.
- d. The write protection method and hardware unit number (lab inventory or serial number) should be noted.

4. BIOS Check

- a. When possible, devices containing BIOS configuration information should be accessed and time/data information noted.

5. Data Acquisition/Imaging

- a. Examiners may choose to utilize any one or a combination of the following data acquisition methodologies:
 - 1) Physical Acquisition
 - a) Examiners may elect to physically acquire data from a media device. This ensures the greatest chances of searching all areas on the drive (including hidden and unformatted space) for normally inaccessible residual data.
 - 2) Logical Acquisition
 - a) Examiners may elect to logically acquire data from a media device.

This may be advantageous when dynamic disks or drive arrays are encountered or when encrypted partitions are open and logically accessible.

K. Handheld Digital Device Examination

1. Analysis preparation

- a. The laboratory submission request and submitted documentation should be reviewed to assist the examiner in determining the type of examination, analytical methodologies to be used, (i.e. preview, limited, comprehensive, virtual and/or investigator assisted examinations, etc., specific content requested, and/or any legal limitations as determined by search authority or express limitation.
- b. Seized system and media inventories should be reviewed to determine the quantity of data to be examined and the resources needed for the examination.
- c. A pre-examination assessment should be made by the lead investigator to determine if the submitted handheld digital device requires other forensic processing which may take precedence over the electronic examination, i.e. DNA examination, fingerprints examination.
- d. Whenever possible, the device should be isolated from the cellular network.

2. Types of handheld digital device examination

- a. Device examination – device analysis is limited to the acquisition and analysis of data which is contained within the chipset of the device, SIM cards, and attached media storage devices. At no time is it intended for the device to be used for examination of live network cellular data.
- b. Live network cellular data examination – with proper search authority, the examiner may be requested to conduct live network cellular data examination using the handheld digital device.

3. Handheld digital device data capture methodologies

Examiners have the option to use one or a combination of the following examination methodologies:

- a. Automated data capture – use of forensic hardware/software for the automated capture of available data on the handheld digital device.
 - b. Logical data capture – use of forensic hardware/software to capture the logical file structure/files contained within the handheld digital device for analysis.
 - c. Physical data capture – use of forensic hardware/software to capture all physical data contained within the handheld digital device.
 - d. Photographic screen capture – use of photographic/video equipment/software to capture the content of the handheld digital device.
4. Handheld digital device data analysis

Examiners have the option to use one or a combination of the following analysis

- a. Automated data analysis – use of forensic hardware/software for the automated analysis of available data on the handheld digital device. This usually results in the reporting of all available data on the device for examiners/investigators to review. Using this methodology, it may not be possible for examiners to segregate findings or edit reports.
- b. Specific content analysis – use of forensic hardware/software and/or photographic/video equipment to search for and report specific data findings.
- c. Data carving analysis - use of forensic hardware/software to carve files or interpret/render data from data sets that would otherwise be hidden or unintelligible to the investigator.

XII. Laboratory Activity/Case Reporting

- A. Overview of a Digital Evidence Examination Report
 1. A digital evidence report takes on many forms and is tailored to the request criteria of each individual submission.

It is constructed to report search results and/or data discovery, otherwise known as “findings,” which may be found to be notable in some way and have relevance to the search criteria and/or case circumstance.

It may contain opinions of the examiner which will have applicability to the examination. The report may also contain suggested investigative leads for detectives. The digital evidence examination report is intended for the use of the investigator who submitted the case.

The forensic report should be considered an "investigative aid" intended to convey information and/or reveal investigative leads found within a digital device.

XIII. Examination Photographs

- A. Digital Forensic Detail personnel take photographs of evidence for the purpose of documenting the condition of the item or to assist them in future recollection of the item and its components.
 - 1. Digital Forensic Detail personnel will photograph all items identified as a system.
 - 2. Digital Forensic Detail personnel may photograph any item to document its condition, configuration or components.

XIV. Laboratory Damage of Seized Property

- A. Any seized evidence item damaged while in police custody and/or during the course of an examination will be reported to a Digital Forensics Detail supervisor.
- B. Allegations regarding the damage to returned property will be reported to a Digital Forensics Detail supervisor.

XV. Examination Review and Disposition of Case

- A. Upon the conclusion of a Digital Forensics Detail examination, the case file with report will be submitted to a certified, experienced examiner who will review the examination report and notes for technical sufficiency.

Upon the conclusion of the technical review, the case will be forwarded to the Digital Forensics Detail sergeant (or his designee) for the administrative review and closure. The technical review and administrative review may be completed by the same person if the designated certified examiner is acting in the capacity of the section sergeant.

- B. The technical reviewer may elect to open the examination to inspect the laboratory notes, forensic case file, or forensic images themselves. Possible deficiencies or errors discovered will cause the report to be returned to the assigned examiner for review, justification, or correction.

- C. All closed criminal and administrative examinations will be subject to administrative review. All closed criminal and administrative examinations may be subject to technical review. It shall be left to the discretion of the designated technical reviewer to decide which examinations will be technically reviewed and to what extent. Technical service requests (data recovery examinations) will not require administrative or technical reviews.

For the examinations reviewed, the reviewers will be noted in the Digital Forensics Detail database and all examination folders initialed by reviewing personnel.

XVI. Confidentiality – Dissemination of Information

- A. Digital Forensics Detail examination reports and the contents of the media examined will be classified as confidential and shall not be published or discussed outside the confines of Digital Forensics Detail personnel, the submitting investigator, assigned prosecutor, or other authorized judicial officer.
- B. Any release of information about the investigation or the Digital Forensics Detail examination will be solely at the discretion of the submitting investigator/officer and/or their chain-of- command and will not occur from Digital Forensics Detail personnel.

XVII. Library Logs

- A. The Digital Forensics Detail shall maintain a digital library of reference databases for use in digital forensic examinations. The reference lists/databases shall be controlled and origination of reference files documented. Reference material shall be versioned when appropriate with old versions stored and saved.
- B. The Digital Forensics Detail shall maintain a reference library of software/hardware manuals of equipment and software used in the computer forensic process.
- C. The Digital Forensics Detail shall maintain a reference library of DFU manuals and operational procedures.

XVIII. Health and Safety

- A. Digital Forensics Detail personnel will be cognizant of the bio-hazardous dangers in handling evidence and remain vigilant to ensure that protective equipment and methodologies are used.