

**HOMICIDE UNIT MANUAL -  
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## **1.0 HOMICIDE UNIT MANUAL - INTRODUCTION**

### **1.1.0 PURPOSE OF THE HOMICIDE UNIT MANUAL**

#### **1.1.1 PURPOSE**

The purpose of the Homicide Unit Manual is to set forth written policies and procedures for the establishment of consistent standards with respect to the training and investigation of homicide related cases. The manual will provide guidelines for the training of new investigators, a reference for experienced investigators, and to document required standards within the Unit.

#### **1.1.2 DISTRIBUTION**

The Homicide Unit Manual shall be available for online viewing on the Sheriff's Intranet site.

#### **1.1.3 REVISIONS TO THE MANUAL**

The Homicide Unit Lieutenant shall maintain the "MASTER COPY" of the Homicide Unit Manual. It will be the Homicide Unit Lieutenant's responsibility to annually review the Homicide Unit Manual and make the necessary revisions as outlined in Department P&P section 1.2.

### **1.2.0 NUMBERING SYSTEMS OF THE HOMICIDE MANUAL**

#### **1.2.1 PURPOSE**

The Homicide Unit Manual is numerically indexed to maintain consistency and ease of reference, and to facilitate future changes.

#### **1.2.2 POLICY**

The numbering system shall consist of a decimal system with category designators and major subject designators within each category.

1.2.3 PROCEDURE

The procedure will be the same procedure as is utilized for the Department P&P per section 1.3.

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<b>1.3.0 ORGANIZATION OF THE HOMICIDE UNIT</b>
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# GC 7922.000-Safety/Security Interest

1.3.1 ORGANIZATIONAL  
TABLE

- 1 - ADMIN SEC II
- 1 - CRIME AND INTELLIGENCE ANALYST
- 1 - CAPTAIN
- 1 – LIEUTENANT

**1.4.0 DUTIES AND  
RESPONSIBILITIES OF  
HOMICIDE PERSONNEL**

**1.4.1 PURPOSE**

To provide a description of the duties and responsibilities of each employee assigned to the Homicide Unit.

**1.4.2 PROCEDURE**

Each member of the Homicide Unit is charged with certain duties and responsibilities in the furtherance of the Unit's duties. They are not all inclusive and are intended as a general guideline only and outline only the general job description.

**1.4.3 LIEUTENANT - HOMICIDE UNIT**

REPORTS TO: Captain, Major Crimes Division  
Law Enforcement Investigations Command

SUPERVISES: Sergeants of Homicide Unit and

Admin II RESPONSIBILITY AND AUTHORITY:

Within the approved limits as set forth by the Policies and Procedures of the Department, the lieutenant of the Homicide Unit is responsible for the effective and efficient performance of the Homicide Unit. The lieutenant has the authority to fulfill those duties as set forth below.

DELEGATION:

The lieutenant may delegate to employees under his/her command appropriate portions of his/her duties, together with proportionate authority for their fulfillment, but he/she may not delegate or relinquish the overall responsibility for final results nor relinquish any portion of his/her accountability.

SPECIFIC DUTIES:

- A. Within budget constraints, ensure that the personnel of the Homicide Unit are properly trained, issued proper equipment and are provided adequate facilities.

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- B. Maintain liaison with other law enforcement agencies, and as required, arrange for exchange of information on cases and related law enforcement problems.
- C. Maintain liaison with the news media and ensure the flow of newsworthy information, without compromising investigations.
- D. Disseminate departmental information, including policies and procedures, special orders and training information to personnel as required.
- E. Facilitate the investigation of major crime scenes by coordinating the work of homicide teams and by interfacing between the Unit and other commands within the department when required.
- F. As required, conduct reviews of the performance of assigned subordinates and appraise the effectiveness of all personnel supervised.
- G. Review annual budget requests from first line supervisors and assist in the preparation of these requests for submission during the annual budgetary process.
- H. Keep the Major Crimes Division captain informed of case progress and of unusual occurrences.
- I. Review and conduct proper investigation of citizen complaints made about Homicide Unit personnel.
- J. Ensure that assigned equipment and vehicles are properly utilized and maintained.
- K. When designated, assume command of Major Crimes Division in the absence of the captain.
- L. Manage Special Funds pursuant to Department Policy and Procedures.

**1.4.4 SERGEANT – HOMICIDE UNIT**

REPORTS TO: Lieutenant, Homicide Unit

SUPERVISES: Detectives assigned to the team; and other personnel assigned.

**RESPONSIBILITY AND AUTHORITY:**

Within the limits of approved policies and procedures, the sergeant, Homicide Unit, is responsible for the efficient and effective operation of his team in the investigation of all cases assigned. He/she has authority to fulfill the duties set forth below.

**DELEGATION:**

The sergeant may delegate to detectives under his/her supervision appropriate portions of his/her duties together with proportionate authority for their fulfillment, but he/she may not delegate or relinquish his/her overall responsibility for results nor any portion of his/her accountability.

**SPECIFIC DUTIES:**

- A. On team responses, assigns his/her team's detectives to various aspects of a crime investigation with suggestions for proper investigative technique.
- B. Personally accompany detectives to crime scenes of all suspected homicides, officer involved shootings and other crimes of a more serious nature, such as kidnappings, etc.
- C. At a serious or important crime scene, the sergeant should interface between homicide investigators and other departmental units.
- D. Determine when a case is newsworthy and after conferring with team members, determine what evidence and facts should be revealed to the news media. This information will be released by the Homicide Lieutenant or by the team sergeant as assigned.
- E. Personally accompanies investigator(s) during D.A. issuance conference for all criminal homicides. Maintain liaison with the D.A.'s office during the subsequent legal proceedings.

- F. Maintain liaison with the D.A. during all other matters under litigation or mutual concern.
- G. Maintain an individual file of all cases assigned to his/her team for reviewing work accomplished by each detective and keeping up to date on the status of each case.
- H. Coordinate with the other sergeants and the detectives' annual vacations and periods of compensatory time off; approve and coordinate all overtime worked.
- I. Periodically appraise, rate and counsel detectives regarding their performance and assigned responsibilities, and at various times review with them the status of their open cases and the disposition of property and evidence being held.
- J. Review all prison releases and changes of charge initiated by detectives.
- K. Periodically inspect detective's vehicles for properly assigned equipment.
- L. Report to the Homicide lieutenant daily all unusual crimes responded to and any unusual incidents affecting the sergeant's team.
- M. Prepare and justify annual budget request for the team as assigned by the lieutenant.

**1.4.5 DETECTIVE – HOMICIDE UNIT**

REPORTS TO: Sergeant,  
Homicide Unit

RESPONSIBILITY AND  
AUTHORITY:

Within the limits of approved policies and procedures, the detective is responsible for the efficient and effective investigation of all assigned cases. The detective has the authority to fulfill the duties set forth below.

SPECIFIC DUTIES:

- A. The detective assigned to this Unit shall endeavor to familiarize himself/herself with all- point bulletins and teletypes regarding crimes of violence disseminated throughout the Homicide Unit. The detective shall also make it a point to keep informed regarding the basic facts of all criminal cases assigned to this Unit.
- B. The detective will keep the sergeant in charge of the detective's team verbally informed of the status of all current investigations.
- C. A rotation schedule with which the detectives shall be familiar is maintained within the Homicide Unit. The rotation schedule will first be used to callout detectives; however, all detectives assigned to the Homicide Unit are subject to call back at any time based on investigative expertise, Mobile Field Force response and for rapid redeployment to an emergency disaster or critical incident where time is of the essence. This directive is pursuant to Departmental Policy and Procedure 5.8 and as noted on the SO-02 form signed by the detective. The detective is responsible for notifying his/her supervisor when unavailable for call-out when on-call status is assigned.
- D. A detective given any regular or overtime assignment or call to duty by any authorized person of this department will notify his/her sergeant if the assignment pertains to an investigation of death, kidnapping, any crime where an injured person is in critical condition, or an officer involved shooting.
- E. A detective shall make complete notes on all phases of his/her investigations, paying particular attention to detailed accuracy. Complete and comprehensive reports shall be made from these notes as outlined by department policy and procedure.
- F. When a detective is first assigned a case to investigate, they shall ensure that any radio broadcast and teletype has been sent or canceled as soon as possible.

- G. The Homicide detective shall ensure that personnel from the Sheriff's Crime Lab obtain all indicated evidence, and that they collect and process all photographs and conduct lab tests requested.
- H. The Homicide detective shall obtain criminal complaints against all persons arrested in connection with the case being investigated, or release said person as soon as possible. A Prisoner's Release or Change of Charge Form will be made and approved immediately after determining that no complaint will be issued, or a charge is necessary.
- I. The Homicide detective shall assume responsibility for the final disposition of all property and evidence seized which pertains to his assigned cases.

**1.4.6 ADMINISTRATIVE SECRETARY II – HOMICIDE UNIT**

REPORTS TO: Lieutenant, Homicide Unit

**RESPONSIBILITY AND AUTHORITY:**

The Administrative Secretary II in the Homicide Unit is responsible for the efficient and timely completion of all routine secretarial duties as outlined below.

**SPECIFIC DUTIES:**

- A. Transcribe recorded interviews and dictation.
- B. Type correspondence, memoranda, reports, and statistical data.
- C. Set-up and maintain office files.
- D. Monitor the status and expedite the completion of clerical assignments (e.g., transcribing of tapes/digital recordings and detective reports).

- E. Sort, screen and route incoming mail.
- F. Provide general information to office telephone callers and/or refer them to appropriate party.
- G. Proofread information for conformance with standard typing layouts, identify typographical errors, correct spelling, grammar, punctuation, capitalization, and work usage.
- H. Prepare payroll records and all financial reports.
- I. Prepare Departmental Requisitions and maintain office supplies.
- J. Enter case information into the Violent Criminal Apprehension Program (ViCAP) database.

#### **1.4.7 CRIME AND INTELLIGENCE ANALYST – HOMICIDE UNIT**

REPORTS TO: Lieutenant, Homicide Unit  
Crime Analysis Manager

#### **RESPONSIBILITY AND AUTHORITY:**

Within the limits of approved policies and procedures, the Senior Crime and Intelligence Analyst in the Homicide Unit is responsible for providing timely and reliable information and analysis in the investigation of all cases assigned. The Senior Crime and Intelligence Analyst has authority to fulfill the duties set forth below.

#### **SPECIFIC DUTIES:**

- A. Uses methods and techniques used in researching, compiling, sorting evaluating and analyzing statistical theoretical and factual criminal and offender information.
- B. Provides investigative support with various aspects of a criminal investigation and assists investigators directly in the compilation and analysis of confidential information regarding complex criminal investigations and recommends specific investigative directions based on conclusions drawn from analysis.

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- C. Accesses data from a variety of law enforcement and other sources and prepares reports to assist in criminal investigations or to make intelligence assessments.
- D. Analyzes data from various sources using analytical techniques and presents analytical findings using various illustrative methods, G.I.S mapping, link analysis and current technology.
- E. Maintains on-call status and responds to scenes as necessary for tactical and investigative support during criminal investigations.
- F. Develops inferences about the intentions and vulnerabilities of criminal or terrorist groups and individuals, their methods of operation, extent of criminal influence, and makes recommendations for investigative strategies.
- G. Research and mines open-source data from the Internet
- H. Prepares statistical reports and presents data and information using graphs, charts, tables, maps and other illustrative material for visual presentation.
- I. Provides oral briefings, court testimony, and other presentations on analytical products and techniques.
- J. Attends DA presentations, intelligence sharing meetings, and special operations.
- K. Completes cell phone extractions and analyzes data from extractions.
- L. Monitors and responds to requests for information on nationwide intelligence computer networks, interacts with intelligence analysts from Federal, State, and local agencies.
- M. Liaisons with outside law enforcement agencies and departments to obtain records and intelligence as it relates to criminal investigations.
- N. Complies with and responds to California Public Records Act requests.
- O. Compiles and maintains data as it relates to in-custody deaths, deputy involved shootings, missing persons, juvenile suicides, and homicides.

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- P. Presents in-custody death, deputy involved shooting and homicide data using statistical methods on Sheriff Department's public Open Data Portal.
- Q. Reports in-custody deaths to Department of Justice by completing BCIA forms.
- R. Updates Sheriff's Department Command with weekly homicide, in-custody death and deputy involved shooting details and counts.
- S. Provides investigative support for cold case homicides.

## 2.0 HOMICIDE UNIT MANUAL – ADMINISTRATIVE PROCEDURES

### 2.1.0 CASE ASSIGNMENT

#### 2.1.1 PURPOSE

To specify those cases to be managed by the Sheriff's Homicide Unit.

#### 2.1.2 CASE ASSIGNMENT PROCEDURE

For Homicide Unit case responsibility refer to Department P&P Section 6.61.

### 2.2.0 TEAM CONFIGURATION

#### 2.2.1 PURPOSE

To establish a standard configuration of a Homicide Team. This is not to preclude any changes needed as a result of manpower shortages, case overload or to realign teams at the discretion of the Homicide Unit Lieutenant.

#### 2.2.2 HOMICIDE TEAM

- A. A Homicide Team **GC 7922.000-Safety/Security Interest** under the specific supervision and direction of a Homicide Sergeant.
- B. **GC 7922.000-Safety/Security Interest** assigned to the Homicide Unit.
- C. A Homicide Team is under the general supervision of any Homicide Sergeant in the absence of the team's regular sergeant.
- D. All Homicide Teams are under the specific supervision and direction of the Homicide Unit Lieutenant.

**2.3.0 ON CALL/CALLOUT PROCEDURES**

2.3.1 PURPOSE

To set a standard on-call procedure for the Homicide Unit and a general guideline for callout procedures.

2.3.2 ON-CALL HOURS

GC 7922.000-Safety/Secur Homicide Team configuration, one team shall be designated as "First Call" a second team as "Second Call." On a rotational basis, Homicide Teams GC 7922.000-Safety/Security Interest

GC 7922.000-Safety/Secur and generally will not be subject to routine call outs as a team.

STAND BY

Stand by indicates the teams are not responsible for routine callouts. However, they are subject to being called out as noted in this manual in section 1.4.5 (c).

**2.4.0 EMERGENCY FAN-OUT**

2.4.1 PURPOSE:

To establish a procedure in the event of serious civil disorder or major crisis which would require the availability of all personnel, the Homicide Unit will proceed as follows:

2.4.2 The Sheriff's Communications Center or Investigations Commander will contact the Captain of the Major Crimes Division and notify him/her of the specific need for personnel deployment. The captain will contact the Homicide Lieutenant or team sergeants to assign personnel as directed.

**2.5.0 ASSIGNED EQUIPMENT**

**PURPOSE:**

2.5.1

To identify the type of equipment assigned and the responsibility for care and maintenance of the equipment.

2.5.2

**DETECTIVE EQUIPMENT**

Each detective has access to various items of equipment which are necessary to accomplish the investigative mission.

Detectives are required to:

1. Maintain all assigned equipment in a clean, neat and proper working condition.
2. Ensure all assigned equipment is stored properly and in such a manner as to provide the item with maximum protection at all times.
3. Periodically check stored equipment to assure that the item is clean and functions properly.
4. Immediately report to their team sergeant any loss, damage (accidental or otherwise) or malfunction of any equipment.
5. Assure that all items of equipment are kept readily available for utilization in the event of a call-out.
6. Submit when requested, any item of equipment for inspection.

2.5.3

**DETECTIVE VEHICLES**

Each detective has been assigned a vehicle. These vehicles are not the property of the Sheriff's Department and are provided by County General Services, Fleet Operations.

Detectives are required to:

- A. Maintain their respective vehicle in a neat, clean, and proper working condition at all times.

- B. Assure that all vehicle parts, accessories and attachments are kept in proper working order.
- C. Assure that assigned vehicles and accessories are maintained in an authorized configuration.
- D. Maintain their respective vehicles in a ready condition, so that when called to a crime scene, all necessary equipment/supplies are readily available.
- E. Assure that all proper/necessary investigative equipment stored within the vehicle is stored in such a container or in such a manner that will provide it maximum protection/cleanliness. EVIDENCE SHALL NOT BE STORED IN THE VEHICLES.
- F. Immediately report any damage (accidental or otherwise) to the Team Sergeant, or in his absence, the Homicide Unit Lieutenant, so determination can be made as to proper disposition.
- G. Operate their respective vehicle in a safe and lawful manner at all times.

## **2.6.0 RECORDS MANAGEMENT**

### **2.6.1 PURPOSE**

The Homicide Detective for standardization of keeping files on active cases, closed cases, and for cases kept on file at the Homicide Unit will do the following:

### **2.6.2 INDIVIDUAL HOMICIDE DETECTIVE**

- A. NEW CASES – When a case is assigned to a homicide detective, a new case file folder will be created [REDACTED] NetRMS is the official record keeping system. At the conclusion of a case, all official reports will be attached to the official NetRMS case. Not all contents of the case file will be transferred to NetRMS. The following information should be kept in the case file:

1. Crime and related reports of the incident
2. Original notes taken by the Homicide Detective until final reports are completed.
3. Photographs (excluding originals).
4. Lab Reports and sketches
5. Telephone Messages
6. Audio/Video recordings made of case (suspect/witness/etc.)
7. Any other information relative to the case (news media, etc.)

B. OPEN CASES – As there is no statute of limitation on murder cases, therefore, the murder file will be kept indefinitely until it is resolved. Cases should remain open until they are either resolved or “SUSPENDED.” After the statute of limitations is achieved on an open case, the file should be purged and all evidence in the case disposed in the manner prescribed by law.

C. CLOSED CASES – Cases should be resolved as soon as possible. Criminal case files will be kept until after the matter is adjudicated in court. Once the court action is completed, the case file should be maintained until sentencing. Once sentencing is complete, the closed murder investigations are kept in the form of a digital “Case File” and transferred to the closed cases folder <sup>GC7</sup> [REDACTED]. All cases that are over five years old shall be removed <sup>GC 7929.210-Information Security Record</sup> [REDACTED]. It is the responsibility of the assigned detective to ensure all evidence and reports are properly entered into NetRMS prior to the case being removed <sup>GC 7929.210-Information Security Record</sup> [REDACTED]. All non-criminal cases should be closed as soon as possible. Once a non-criminal case is closed there is no reason to keep the closed case for more than 90 days, primarily as a reminder to dispose of any evidence (if applicable).

### 2.6.3 OFFICE FILES

The detective will periodically check their files for purging and to examine cases that could possibly be worked again as new information is received.

### 2.6.4 SECURITY OF CASE FILES

Information collected, analyzed, filed, or produced by the Homicide Unit remains the property of the San Diego County

Sheriff's Department and can only be disseminated without the express approval of the Homicide Unit Lieutenant.

Homicide Unit case files will not be taken home or removed from the office without prior supervisory approval. Personnel assigned to the Homicide Unit will not share or discuss investigations with anyone who does not have both a right and need to know.

**2.7.0 INVESTIGATIVE  
TRAVEL PROCEDURES**

2.7.1      PURPOSE

Homicide Detectives are called upon to work extended overtime hours, on their days off and are required to travel. Transportation, lodging, meals and other expenses must be planned. These guidelines will be followed in strict compliance with the County's Administrative Code.

2.7.2      OUT-OF-COUNTY TRAVEL

- A. On determining out-of-county/state/country travel is necessary, the detective(s) should begin a Homicide OUT OF COUNTY TRAVEL worksheet. The following information needs to be completed:
  - a. Name(s) of detective(s)
  - b. Travel destination
  - c. Case Number
  - d. Approximate length of time away (count by night)
  - e. Mode of transportation (specify if rental car is needed.)
  - f. Number of meals for each person traveling (breakfast, lunch, dinner.)
  - g. Lodging (Note if high-cost area.)
  
- B. Upon completion, the Major Crimes Division Captain must approve the OUT OF COUNTY TRAVEL worksheet and submit through the proper chain of command to the Law Enforcement Investigations Commander.
  
- C. Notify Financial Services of information on mode of transportation (only if air travel and rental car is necessary), total number of persons traveling, projected

number of meals, length of absence (counted by nights) and destination.

- D. Financial Services will compute the amount of money needed and will advance the money for the Detectives using the information furnished by the Detectives as a guideline.
- E. In the event Financial Services cannot advance the needed money, the Homicide Unit Lieutenant may advance money for expenses from the Unit's Special Investigative Fund. (For details of the Special Fund, refer to Policy & Procedures Section 3.30.)
- F. Under normal circumstances, on return from travel, the detective(s) will contact Financial Services as soon as practical, but within 10 business days. The detective(s) will need hotel/motel receipt (if applicable), rental car receipt (if applicable), a completed Patrol & Investigative Expense Claim enumerating the total number of meals consumed, and receipts for any other reimbursable monies spent (parking fees, baggage, transfer, etc.).
- G. In the event the travel is within driving distance, the mode of transportation will be county-issued vehicle. This will be determined by the Homicide Unit Lieutenant with input from the traveling detective(s).
- H. The original Homicide OUT-OF-COUNTY TRAVEL SHEET should be forwarded to Financial Services and a copy placed in the case file.

### 2.7.3 IN COUNTY TRAVEL/EXTENDED HOURS

- A. In the event the detective(s) must work beyond their normal workday, the detective(s) will be compensated pursuant to the current salary agreement with the County.

If an employee works four (4) hours or more beyond his/her normal regular scheduled shift without a minimum of 24 hours advance notice, that employee shall be entitled to reimbursement for a meal per the current GSA reimbursement rates.

If an employee is required to remain at a crime scene or designated post for six (6) or more consecutive hours, the employee will be provided, at the Department's discretion, a meal or will be entitled to reimbursement for a meal per the current GSA reimbursement rates.

For reimbursement of the money expended for meals, the funds will be paid from petty cash.

## **2.8.0 STATISTICS**

### **2.8.1 PURPOSE**

Sets forth an accounting of the cases managed by the Homicide Unit, pursuant to Department Policy and Procedure 6.61. An accounting of all cases assigned to the Homicide Unit will be kept by the Homicide Crime and Intelligence Analyst and forwarded to the Homicide Unit Lieutenant on a weekly basis.

## **2.9.0 MEDIA RELATIONS**

### **2.9.1 PURPOSE**

This policy has as its purpose the establishment of the public communications goals as they pertain to the Sheriff's Homicide Unit, setting guidelines for the dissemination of information to the public through the various news media, fixing responsibility for the release of information and prescribing conditions where information cannot or will not be released.

### **2.9.2 CRIMINAL CASES**

- A. Press releases should be made on criminal cases where the Homicide Unit responds and assumes the investigation in the field, unless doing so would compromise the investigation.
- B. It will be the responsibility of the Homicide Unit Lieutenant to ensure proper and effective press releases are made in a

timely manner. News releases will be approved, via the chain of command, before being released.

- C. In those instances where the Lieutenant does not respond to the scene, it will be the responsibility of the sergeant assigned to the case to provide information to the Homicide Unit Lieutenant so they can make the press release(s).
- D. In major investigations or officer-involved shootings, the Homicide Unit Lieutenant shall respond and will be responsible for the necessary press release(s) and media liaison (in conjunction with Public Affairs). In large scale incidents, Public Affairs may be appointed as the primary point of contact for the media, with approval from the Major Crimes Captain.
- E. In murder investigations and questionable death investigations, it is desirable to have only one spokesperson for the media contacts. It should be the responsibility of the assigned Homicide Unit Lieutenant to act as spokesperson. In those instances where the Unit Lieutenant will be absent or unavailable for an extended period of time, media contacts should be then referred to the Homicide Team Sergeant.
- F. The lieutenant, team sergeant, and lead detective will ensure specific facts and details of the scene (hold back information) are not released to the media or public to protect the confidentiality of the investigation.

### 2.9.3 NON-CRIMINAL DEATH CASES

These types of cases (natural deaths, suicides, accidental deaths, etc.) are the investigative responsibility of the Medical Examiner's Office. In those instances where we respond, we will do so to resolve any criminal elements, and, if present, begin a criminal investigation. Often, just by the mere fact that the Homicide Unit responds to an incident, generates inquiries from the media. For non-criminal cases, these guidelines are offered:

- A. Formal press releases will not be made by the Homicide Unit unless the incident is of an unusual nature or involves public figures. As the investigative agency, the San Diego County Medical Examiner's Office will handle media inquiries in most of the above cases and the media should be referred to that agency.

- B. The name of the victim will not be released by the Homicide Unit until it is certain that the next-of-kin have been notified.
  
- C. The Homicide Unit normally will not release the name of a suicide victim; however, the Homicide Lieutenant, upon request, will release the name and age of a suicide victim, pursuant to Government Code section 6254(f)(2). The Homicide Lieutenant will have 10 days from when the request is received to respond. The homicide lieutenant shall also release:
  - 1. The date, time, and location of occurrence
  - 2. The time and date of the report
  - 3. The factual circumstances of the incident.
  - 4. The general description of the injuries, property or weapon(s) involved.
  
- D. The disclosure of investigative files that reflects the analysis or conclusions of the investigating officer will not be disclosed.

#### 2.9.4 OTHER NON-CRIMINAL CASES

Press releases and media contacts regarding other non-criminal cases investigated by the Sheriff's Homicide Unit may be released consistent with Department policy, state law, and the investigative needs required under the case's particular circumstances. The Homicide Lieutenant will be responsible for the coordination of media contacts in these cases. This does not preclude the homicide detective assigned to the case from contact with the media, when approved by the Homicide Lieutenant.

**2.10.0 DIGITAL CASE FILES**

2.10 1      PURPOSE

Pursuant to Department Policy and Procedure 6.83, The Sheriff's NetRMS (Internet Records Management System) Program shall be the central repository for all original crime reports, incident reports, arrest reports, juvenile contact reports, emergency referral reports, traffic accident reports, and impound reports. Homicide personnel shall be responsible for entering the reports into NetRMS while the records & ID Division shall be responsible for maintaining the records and performing Quality Assurance checks to verify the accuracy of the reports.

Investigators may maintain case files on individuals or incidents assigned for investigation in hard copy; however, the case management shall be maintained in NetRMS.

2.10.2      PROCEDURES

- A. A digital case file shall be organized and assembled for each case assigned to the homicide detective and stored on the homicide server. (Multiple victims only require only one case file.)
- B. Digital case files are to be prepared and updated by the primary detective.
- C. All reports, sketches, press releases, newspaper articles and any other pertinent documents will be made part of the digital case file.
- D. The digital case files and all parts thereof will be kept in the Homicide Unit office unless checked-out by a detective/sergeant with the approval from the Homicide Unit Lieutenant.

### 3.0 HOMICIDE UNIT MANUAL – OPERATIONAL PROCEDURES

<b>3.1.0 CRIME SCENE EVALUATION/SEARCH</b>
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#### 3.1.1 PURPOSE

Prior to beginning a search, a crime scene examination and evaluation will be conducted. The detective should also review current restrictions on crime scene searches based on case law.

#### 3.1.2 PROCEDURE

##### A. EVALUATION

In crime scene searches, the main points to remember are:

1. There is no “MURDER SCENE” exception to the Fourth Amendment (Mincey vs. Arizona).
2. Deputies may still make cursory searches for additional victims or suspects who may reasonably be present.
3. Deputies may search the area within “Arms Reach” of an arrestee (Chimel vs. California).
4. Items of potential evidence or investigative value may be seized if they are in plain view, from an area where deputies have a lawful right to be in the place from which you are viewing the object; the incriminating character of the object is immediately apparent, i.e., you have probable cause to believe it is crime related; and you have a lawful right of access to the location of the object.
5. Deputies may reasonably secure the premises to avoid the destruction of evidence until a warrant can be obtained.
6. A warrant should be obtained to search any premises, even if it is the residence of the victim, unless it is an emergency situation. If in doubt, consult with the District Attorney’s Office Sheriff’s Liaison or contact the “On-Call” Deputy District Attorney, via the Sheriff’s Communications Center.
7. If consent is obtained to conduct the search, all relative information should be obtained and noted, including person giving consent,

authority to consent, date and time consent given, restrictions placed on the search. Obtain a signed consent to search form and audio recording if possible.

Upon arrival at the scene, Homicide will receive a briefing of all events and observations made by first responders leading to that point. The briefing should be given by the person having the most knowledge of the event whenever possible. Other involved personnel should be encouraged to attend the briefing to assist in answering any questions raised by the homicide team. In the case of an officer involved shooting, deputies involved in the shooting will not give or attend the briefing. Anyone who has entered the crime scene prior to the arrival of the homicide team (e.g., paramedics, witnesses, uniform deputies) should be identified and their route taken into and out of the scene. Also determine if any items of evidence or potential evidence have been moved or altered and the reason why (e.g., safeguarding from onlooker, destruction from weather).

After establishing a single pathway into the crime scene, the detective should consult with crime lab personnel to determine the best way to enter and document the scene. Notes should be taken on possible evidence and on search patterns to be observed. A photographer should accompany the detective on the initial approach to make a photographic record of the observations made.

The area immediately surrounding the dead body should be examined to prevent accidental contamination. Examine the area for evidence particles, stains, marks, tire tracks, footprints, etc. Document all facts so that proper reconstruction of the crime can take place.

The detective should determine the time of day, weather conditions, lighting conditions and type of structure. If applicable, the detective should determine if there are any footprints, bloodstains, drag marks or other items of evidence on the floor or ground that may be stepped on and contaminated, altered, or destroyed.

<b>3.2.0 VISUAL EXAMINATION OF THE BODY</b>
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**3.2.1 PURPOSE**

To locate any possible evidence to assist in determining the cause and manner of death.

**3.2.2 PROCEDURE**

After completion of the examination of the area immediately surrounding the body, the detective should concentrate on the body itself. Do not move

or alter the position of the body without consent of the Medical Examiner. Conduct a close visual examination of the body. Evaluate the position of the body. Determine if postmortem lividity is logically located. Visually check the victim's hands for signs of evidence, e.g., foreign hairs, defense wounds. Carefully note the external appearance of the body. Note manner of dress, signs of trauma, decomposition, eyes and mouth, color of skin, nails and hands, presence of blood, saliva, vomit, lung purge and direction of flow. Begin at the head and work toward the lower extremities.

Make detailed notes. Describe the clothing of the deceased. In addition to noting the obvious, examine and determine the presence of folds and creases on the victim's clothing, bedding, etc. The direction of the folds and creases provides information leading to the method used in moving or placing the body where it was found. Check clothing and shoes for evidence of trace material and signs of violence.

NOTE: The detective shall not attempt to learn the identity of the deceased by searching his person for identification. The Medical Examiner Investigator at the scene will conduct the search of the body for identification. In unique situations, the Medical Examiner Investigator may grant approval allowing investigators to look for identification.

## WOUNDS

Describe the location of wounds, bruises, etc. Make careful observations. Describe only what you see, not what you think you see. For example, if a body begins to decompose and reddish green fluid begins to discharge from cracks in the skin, this fluid should be described objectively as "reddish green fluid," rather than assigning some technical term to the substance.

If parts of the weapon are left in the wound, they should NOT be removed. Items of clothing worn by the victim should be carefully examined by the investigating officer after the Medical Examiner's Investigator and the criminalist examine the body. The clothing could be helpful in determining peculiarities or distinctive features of the weapon, as well as the position of the victim at the time injuries were received.

## GUNSHOT RESIDUE

In all deaths as a result of gunshot wounds, consult with Crime Lab personnel to see if conducting gunshot residue tests on the hands of the victim would be appropriate.

**3.3.0 CRIME SCENE PHOTOGRAPHS  
AND FINGERPRINTS**

3.3.1 PURPOSE

Photography is a method used to make a permanent visual record of a crime scene. This should be done without investigators in the crime scene. Photography is also a supplement to the crime scene sketch. Fingerprints are a valuable source of evidence for placing a particular person at the scene or in possession of items from the scene.

3.3.2 PROCEDURE

A. PHOTOGRAPHY

The detective should confer with the Forensic Evidence Technician prior to taking photographs to prevent the possible contamination of evidence and to ensure there is a clear understanding of what should be photographed. The detective should instruct the forensic evidence technician to photograph the following, ensuring that the photographs show proper relationships:

- 1 The approach to the crime scene depicting the type of structure and the address, street signs, parked vehicles, and other identifying objects.
- 2 The approach and point of entry to the immediate area where the victim is located.
- 3 The entire body including close-ups of wounds, folds in the victim's clothing and bedding, and the presence of other physical evidence such as weapons, blood, fingerprints, foreign hairs, and stained/torn clothing.

NOTE: After taking the initial photographs, advise the Forensic Evidence Technician to stand by to photograph the removal of the body or other relevant areas that may develop.

The detective should also consider having aerial photographs taken of the crime scene for court presentation. These photographs may be invaluable to the prosecutor and may also assist the judge and/or jury in deciding important issues of the case. Aerial photographs can be of particular value in outdoor scenes.

Videotaping of the crime scene should also be considered prior to the collection of any evidence.

**B. FINGERPRINTS**

While Forensic Evidence Technicians have the necessary expertise and functional responsibility for the gathering of certain evidence, it remains the responsibility of the detective to maintain direct control of the crime scene and discuss with the technician the areas that should be examined for fingerprints.

**3.4.0 CRIME SCENE SKETCHING**

**3.4.1 PURPOSE**

Crime scene sketching accurately records the position of the body and evidence collected at the scene by employing measurements from known/ fixed objects such as walls, roadways, curbs, etc.

**3.4.2 PROCEDURE**

Photographs of the scene may give a distorted view of the relationship of the body to fixed objects because of camera angle, lens, lighting, etc. To accurately portray the crime scene, it may be necessary to use the crime scene sketch or a computerized laser diagraming program in conjunction with photographs. A compass direction should be included in the sketch or diagram to ensure the viewer examining the sketch maintains proper orientation.

The Criminalist assigned to the case is responsible for preparing the crime scene sketch or computerized laser diagram under the direction of the lead investigator. A detailed sketch or computerized laser diagram of the scene should be made on all homicide cases and on other death investigation cases at the discretion of the lead investigator.

**3.5.0 COLLECTION OF EVIDENCE**

3.5.1 PURPOSE

To collect, mark and preserve evidence for future presentation and identification in court.

3.5.2 PROCEDURE

The detective is directly in charge of the criminal investigation and should be consulted prior to any crime scene processing including the gathering of evidence. Collection of evidence at a crime scene, excluding evidence from a body, should be the function of the Forensic Evidence Technician and Criminalist in conjunction with the lead investigator in charge of the crime scene.

The Forensic Evidence Technician and Criminalist should gather, mark, and transport evidence found to the Regional Crime Lab.

**3.6.0 MEDICAL EXAMINER NOTIFICATION  
AND ROLE AT THE CRIME SCENE**

3.6.1 PURPOSE

To establish the role of the Medical Examiner's Investigator and describe their duties with respect to the examination of the victim and the removal of evidence from the victim.

3.6.2 PROCEDURE

A. MEDICAL EXAMINER NOTIFICATION

It shall be the responsibility of the supervisor of the investigating Homicide Team to insure that the Medical Examiner's Office has been advised and personnel from the Medical Examiner's Office are responding to a death investigation scene. This notification should be made in a timely manner.

B. MEDICAL EXAMINER RESPONSIBILITY IN COLLECTING EVIDENCE

The search for and collection of physical evidence from a dead\_body is the responsibility of Medical Examiner's personnel. Evidence collected may consist of blood, gunshot residue, hair, nails, sexual assault specimen, and bite marks or tool marks in the tissue. The collection of such evidence is made only when

circumstances surrounding the death indicate the presence of the aforementioned evidence, or if the lead investigator requests their collection.

**C. ANALYSIS OF PHYSICAL EVIDENCE OBTAINED IN CONNECTION WITH A DEATH INVESTIGATION IS CONDUCTED AS FOLLOWS:**

1. Bite marks or tool marks in tissue will be gathered and analyzed by Medical Examiner's personnel. The results of the analysis will be released to detectives.
2. Blood and sexual assault specimens will be gathered. The specimen will be released to Department personnel for more extensive analysis.
3. Fingernail and toenail scrapings or clippings and pubic hair will be gathered. The Crime Lab will conduct laboratory analysis.
4. Articles, instruments, or weapons that a decedent may be grasping or that may be touching the body will be removed by the Medical Examiner's Investigator and may be released to Department personnel at the scene.
5. Prior to moving the body, ensure that the Forensic Evidence Technician is present to photograph the movement and record the presence of folds on the clothing and bedding, and other evidence; e.g., weapon, wounds, bloodstains.
6. Detectives shall obtain an itemized receipt from the Medical Examiner's Investigator for all property, including the contents of wallets and purses, removed from the scene by the Medical Examiner's Investigator. In cases where effective development of the murder case requires a need to maintain control of all or part of the contents included in the deceased person's purse or wallet, the detective may request these items from the Medical Examiner's Investigator. It remains the discretion of the Medical Examiner's Investigator to authorize the release of this type of property. If the Medical Examiner's Investigator agrees to the request, they shall prepare an itemized receipt of those items retained and those items provided to the detective.

7. If items of evidence are not released to the investigator and it is essential that they be preserved "as is"; e.g., bloody dollar bills grasped in the victim's hand, or items in the victim's pockets, the Medical Examiner's Investigator must be advised.
8. Upon completing the examination of the body and the collection of evidence, the deceased may be released to the Medical Examiner's Investigator for removal. Prior to removal of the body, the investigator may request protective coverings be placed over specified areas of the body; e.g., head, hands, or the entire body for the preservation of trace evidence to be collected at the Medical Examiner's Office. The protective covering shall be  
  
applied by the Medical Examiner's transporting crew prior to removal and transportation to the Medical Examiner's Office.
9. The clothing of the deceased may be collected at the scene with the permission of the Medical Examiner's Office.
10. A pathologist and a medical examiner's investigator should be requested by the homicide supervisor to respond to all officer involved shooting deaths and homicide crime scenes.

D. NOTIFICATION OF NEXT-OF-KIN:

It is normally the responsibility of the Medical Examiner's Investigator to locate and notify the next-of-kin in death cases. In some instances, it may be desirable for a member of the investigating Homicide team to accompany the Medical Examiner's Investigator when contacting next-of-kin in order to learn about associates of the deceased or to obtain statements that may assist in the investigation.

<b>3.7.0 EXPANDING THE SEARCH</b>
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3.7.1 PURPOSE

To aid the investigators in conducting thorough and legal searches of crime scenes beyond the immediate area of the body.

3.7.2 PROCEDURE

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A. LEGAL RESTRICTIONS:

1. The crime scene search and any expansion must take into consideration case law affecting the search of a crime scene. The U.S. Supreme Court Decision in Mincey v. Arizona (437 U.S. 385, 57 L. Ed. 2d. 290 (1978)) ruled no "murder scene" exception to the Fourth Amendment exists that would permit a warrantless search. Detectives shall conduct searches of homicide crime scenes only after legal requirements have been met. The court in Mincey had no difficulty in allowing the cursory search of the apartment for additional suspects or victims. The court realized the emergency nature of such a search, which is essential to the safety of possible victims and the officers.
2. When investigators determine that evidence may be present in areas beyond the scope of a cursory search of the premises, they may do what is reasonable to secure the location in order to prevent the destruction of  
  
evidence of the crime while waiting for the issuance of a search warrant (People v. Freeny, 37 C.A. 3d, 20, 1974).
3. The investigators should have a reasonable belief that evidence may be destroyed or removed if the premises are not secured. No unnecessary restrictions should be placed on non-custodial occupants.
4. If there is a person at the scene of the crime who has the authority to grant and consent to a search, no warrant would be necessary to conduct a more extensive search. However, a search warrant is strongly encouraged for all homicide scenes.
5. If the victim of the homicide was the resident of the premises in which they were found, it does not mean the premises can automatically be searched. The rights of other possible residents may be violated in doing so. The possibility that an absent spouse or roommate may be involved in the crime or some other illegal activity is always a possibility. It is the responsibility of the lead investigator to preserve the admissibility of evidence that might link a co-resident to the crime.
6. If the identity of the victim is unknown and it cannot be established that he/she is the resident of the premises where found, officers may not conduct an in-depth search of the premises simply to establish identity. The fact the victim cannot be linked to the location of the crime would be an indication that someone else may

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be in residence. The rights of the unknown third party may be violated if a warrantless search ensued absent exigent circumstances.

NOTE: During normal business hours, search warrants should be obtained through the District Attorney's Office. In off-hours investigations, contact the search warrant desk GC 7922.000-Privacy Interest

**B. SEARCHING:**

During the search of the crime scene, the detective should check the following areas, carefully noting and recording evidence or conditions which may shed additional light on the investigation:

DOORS: Determine if locked or bolted (from inside or outside); evidence of forced entry; e.g., window smashed, pry marks, torn screen. Determine if there is a doorknocker or doorbell and if it works and can be heard.

WINDOWS: Type; locked or unlocked positions of window catch; type and position of curtains, drapes, or blinds, possibility of seeing in.

LIGHTING: Determine from original responding officers which lights were on when the crime was discovered, whether other lights were checked for warmth, and if

lights can be and were seen from the outside. Check lights to determine how they are controlled (switch, or timer), and if they are in working condition.

ODORS: Gas, tobacco, alcohol, perfume, gunpowder.

KITCHEN: Food being prepared, what kind (may or may not correspond with the victim's stomach contents). Partially eaten food, used utensils, glasses, plates, stove on or warm, water running, coffee pot empty (contents evaporated, etc.).

HEATING TEMPERATURE: Check the following for their setting, temperature, or type: stove, thermostat, and fireplace.

SIGNS OF A PARTY: Bottles (labels, brands, types of liquor, etc.), cups, glasses, (their contents and number), lipstick, number of places set.

CONTENTS OF ASH TRAYS: Cigarette packs, butts, matches or matchbooks, determine brands, manner in which cigarettes were extinguished, presence of lipstick, teeth marks on filters.

CONTENTS OF WASTEBASKETS AND TRASHCANS: Determine if anyone has gone through waste containers looking for anything, and if trash contains items of evidentiary value. Check the dates on newspapers, magazines, letter, etc.

TV/RADIO: Determine channel/dial number – on or off.

CLOCKS AND WATCHES: Windup or electric? Are they running: Do they show the right time? When did they stop? Time for which the alarm was set?

BATH AND TOILET AREAS: Check towels, rags, etc., to determine if they are damp or bloodstained. Check attempts by suspect to destroy evidence or wash himself/herself. Check medicine cabinet for drugs, etc. Do not flush toilet.

WEAPONS: Determine if the weapon was left at the crime scene. Could it have come from the location or was it brought to the location by the suspect. (Will have some bearing on proving intent.)

MISCELLANEOUS: Detectives shall attempt to obtain the victim's cell phones, computers, mobile communication devices, and personal documents. These items may aid in the investigation. Search any other areas which may contain evidence or provide pertinent information.

**C. EXPENDED BULLETS:**

Determine how many bullets were fired, account for all cartridge cases, bullets and bullet holes. Ascertain the number and location found.

Crime Lab personnel should be consulted regarding the best procedure to document and collect any firearms-related evidence.

Each cartridge or bullet shall be individually sealed in an envelope and packaged separately from the firearm.

**D. HANGING OR STRANGULATION/INSTRUMENT USED**

1. If a rope was used, determine if it was obtained from inside the premises and if any other sections of it remain.
2. If death has been properly determined, do not cut the victim down until the Medical Examiner's Investigator is present and can evaluate the position of the victim's body and the rope that was used.

3. Photographs of the victim in the hanging position will be taken both by the Medical Examiner's investigator and the Forensic Evidence Technician.
4. The Medical Examiner's investigator will cut the victim down from the hanging position ensuring the rope is cut several inches away from the knot.
5. It is the Medical Examiner's policy to leave the rope on the victim's neck until the pathologist, during the postmortem examination, removes it. This is necessary so the pathologist can examine the ligature wound and determine if it is consistent with the position and design pattern of the rope.
6. Upon request from Homicide detectives, the rope can be retrieved from the Medical Examiner's Office and be logged as evidence.
7. Murder by hanging is considered extremely rare. If an apparent suicide by hanging appears to be questionable, the detective should direct their attention to the rope or line that was used.
8. Either the rope or line and the supporting object may offer distinct markings and other clues that will indicate that the victim was hoisted upward. In addition to close examination of the rope fibers, the death should be viewed in total context. A psychological autopsy of the victim(s) should be conducted in attempt to determine the state of mind.
9. Strangulation is very often preceded by a struggle. Other injuries may be found on the body.

**3.8.0 WITNESS CANVAS**

**3.8.1 PURPOSE**

To conduct a neighborhood, check for additional witnesses.

**3.8.2 PROCEDURE**

**A. CANVAS AREA FOR ADDITIONAL WITNESSES**

Countless cases have been solved with the information supplied by witnesses. The detective has to be thorough and methodical when

checking the neighborhood or area to ensure he/she contacts and interviews all possible witnesses. This may include returning to the scene or area the next day at approximately the same time the crime occurred in an attempt to determine if any delivery people, mail person, gardeners, newspaper delivery person, or vendors who normally frequent the area may have been present.

The detective, when checking locations for witnesses, should record the name of every person who resides in a residence, even though they may not be present at the time of the investigation and record any statements obtained.

Example: During a murder investigation, the detectives interviewed the parents of a man who later turned out to be the killer. It wasn't until later that they discovered that the man lived at the house but was not present when the interview occurred.

There have been cases where witnesses who were reluctant to talk to law enforcement have appeared at a later time on behalf of the defense. Their initial statements regarding the incident are vital to the prosecution.

**B. CRIME SCENE WALK-THROUGH**

A method used to obtain an idea of what occurred is for the primary detective to conduct a walk-through of the crime scene. This will allow the investigator to form a better picture of what occurred. The criminalist and forensic evidence technician may render invaluable assistance during the crime scene walk-through. Walk-throughs are especially important in officer-involved shootings. Walk-throughs should take place after the crime scene has been documented.

<b>3.9.0 PRE-AUTOPSY AND AUTOPSY MEDICAL EXAMINER PROCEDURES</b>
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**3.9.1 PURPOSE**

To establish cause and manner of death, retrieve evidence from the body, to document the wounds and set forth procedures for sealing and unsealing of autopsies.

**3.9.2 PROCEDURE**

**A. PRE-AUTOPSY EXAMINATION OF BODY**

This examination provides the investigators, criminalists, and Forensic Evidence Technicians (FET) an opportunity to collect any evidence on the body; e.g., fingernail clippings, hair, or any trace evidence on the clothing or body itself and wounds may be closely examined and photographed prior to being cleaned.

Any items of evidence taken from the external surface of the body, and all items of clothing will be logged by Medical Examiner's personnel prior to being released. Such items of evidence will be received by Crime Lab personnel and logged into evidence.

**B. AUTOPSY**

At least one member of the investigating team along with a FET will attend the autopsy in criminal, in-custody or suspicious deaths. The investigator should be prepared to answer questions surrounding the circumstances of the death if asked by the pathologist performing the autopsy. The FET should photograph various stages of the autopsy, including wounds. The investigator, after conferring with the pathologist, should take notes as to the cause of death, which should be included in the investigator's autopsy report.

**C. SEALING AND UNSEALING OF AUTOPSIES**

The Homicide Unit's standard procedure for any investigation will be to seal autopsies on homicides, suspicious deaths, officer involved shootings, use of force deaths, or other investigations where the investigation may be compromised by the public disclosure of autopsy results. Death investigations of persons in-custody will not be sealed unless the circumstances additionally meet the criteria above. Any in-custody death investigations will be unsealed utilizing the respective circumstances they were sealed under.

The sealing will be accomplished, via a written request to the San Diego County Medical Examiner's Office. The letter will refer to Government Code Sections 6254(f) and 6255, which set forth disclosure requirements for law enforcement agencies. The purpose of the sealing request is to protect the integrity of any ongoing investigation.

The receipt of the completed autopsy report is not just significant to the investigation, but immediately triggers command notifications, press releases, Department of Justice reporting updates, and other administrative functions with time requirements. The letter will instruct the Medical Examiner's Office to send a copy of the completed autopsy report to the detective assigned the case, the sergeant of the team responsible

for the case, the Homicide Lieutenant, the Homicide Administrative Secretary, and the Major Crimes Captain.

Under the circumstances outlined below, autopsies will be unsealed by sending a written request to the San Diego County Medical Examiner's Office, again referencing Government Code Sections 6254(f) and 6255.

Unsealing Autopsies:

- Homicide cases: Autopsies should be unsealed when the case goes to Preliminary Examination. The decision to unseal homicide investigations will be done in coordination with the District Attorney's Office.
- Officer Involved Shootings and Use of Force Deaths: Autopsies should be unsealed when the case goes to Preliminary Examination or upon receiving the written findings from the District Attorney's Special Operations Unit declaring the shooting or use of forces was justified.
- Suspicious Deaths: Autopsies should be unsealed upon the completion of the investigation.

The Homicide Unit investigates many complex and unusual circumstances. The Homicide Lieutenant retains the authority to seal or unseal any autopsy based on the circumstances.

When any case meets the sealing or unsealing criteria, the Homicide Detective will notify the Homicide Administrative Secretary who will prepare a letter from the Homicide Lieutenant to the Chief Medical Examiner. The Homicide Administrative Secretary will maintain the current format for the letter requesting the sealing and unsealing of the autopsy.

Upon receiving an unsealing letter, the Homicide Lieutenant will review the request to determine if the disclosure would endanger the integrity of any investigation or the safety of any witness or person involved in the investigation.

**3.10.0 CRIME SCENE DEBRIEFING**

3.10.1 PURPOSE

To establish a procedure for review of all crime scene evidence and determine priorities for laboratory analysis of collected evidence.

3.10.2 PROCEDURE

It is recommended that the lead investigator meet with the assigned criminalist(s), forensic evidence technician(s), and any other laboratory personnel or detectives deemed appropriate to identify all items of evidence collected and establish a prioritized list of laboratory service requests.

**3.11.0 DEPUTY INVOLVED  
SHOOTINGS AND USE OF FORCE  
RESULTING IN DEATH**

3.11.1 PURPOSE

To establish a procedure for the thorough investigation of officer- involved shootings and use of force resulting in death.

3.11.2 POLICY

In March of 2022, the San Diego County Sheriff's Department entered a countywide protocol for the investigation and review of deputy/officer involved shootings and other deadly force incidents. See Addendum A for details of this protocol.

The San Diego Police Department shall be responsible for the criminal investigation of all deputy-involved shootings (excluding negligent discharges or dispatching of animals) or any use of force resulting in a fatality or where death is imminent. If an incarcerated person was subject to the deputy-involved shooting or use of force by a Sheriff's employee, an investigation will occur whether or not the incarcerated person is compassionately released.

While this countywide protocol is in effect, The Sheriff's Homicide Unit shall be responsible for the investigation of all officer involved shootings (excluding negligent discharges or dispatching of animals) or any use of force resulting in a fatality or where death is imminent.

Upon completion of the investigation, the case shall be submitted to the District Attorney for review. The investigation should be complete and submitted within 90 days to the District Attorney.

3.11.3 PROCEDURE

A. Notification

1. Upon notification by the Communication Center, the on-call Homicide Sergeant shall contact the on-scene representative for a briefing of the incident. Information necessary to make response/deployment decisions includes:
    - a. Synopsis of incident.
    - b. Indoor versus outdoor scene.
    - c. Identity and location of persons involved including the injured or deceased.
    - d. Number and location of witnesses.
    - e. Interpreter considerations.
    - f. Safety statement.
    - g. Preservation of the crime scene and evidence.
    - h. Deputy's/Officer(s) gun, uniform, equipment.
    - i. Determine if BWC was activated during incident, and if so, decide whether they should be docked prior to interviews.
    - j. Departmental cellular telephones utilized by departmental personnel will be downloaded in their entirety after the employee has been involved in an officer involved shooting or use of force incident resulting in death. The entire cellular telephone download will be placed into evidence. Homicide detectives will present relevant case related material to the District Attorney's Office. Homicide detectives will indicate in their report that the Departmental cellular telephone was downloaded in its entirety and placed into evidence.
    - k. Deputy's/Officer(s) location, companion, and welfare. The involved deputy(ies)/Officers shall not be allowed to change clothes or clean up unless absolutely necessary for required medical attention or bio-hazard situation.
    - l. Identification and separation of witnesses.
    - m. Weather conditions will be documented.
- B. "Safety statement" obtained by the field supervisor
1. The field supervisor has the responsibility of talking to the deputy(ies) involved immediately upon his or her arrival to ascertain public safety information. Public safety statements are defined as those received from the involved deputy(ies) at the scene and generally include the following questions.
    - a) Are there outstanding suspects
    - b) Description of suspect (s)
    - c) Direction of travel
    - d) Description of any vehicles
    - e) Are there any injured persons
    - f) Location of injured persons
    - g) Nature of injuries

- h) Position of deputy when they fired their weapons
- i) Direction deputy fired
- j) Position of suspect when they fired their weapons
- k) How many rounds were fired by deputy/suspect
- l) Are there outstanding weapons/type

The field supervisor can order the deputy(ies)/Officer(s) to answer these questions without the presence of an attorney, if necessary.

2. The Homicide Sergeant should consider the following resources to conduct a timely, effective and efficient investigation.
  - a. Additional homicide/area detectives
  - b. Criminalist(s)
  - c. Forensic Evidence Technicians
  - d. Unmanned Aircraft System (UAS) Unit
  - e. Homicide Lieutenant
  - f. Medical Examiner's Office Personnel
  - g. Crime and Intelligence Analyst(s)
  - h. Volunteers
  - i. Additional Homicide Sergeants
  - j. Special Equipment such as lighting and the Mobile Command Vehicle.
  - k. Latent Print Examiner

### C. Deployment

1. The Homicide Sergeant shall initiate notification of investigative personnel.
2. The Homicide Sergeant shall confirm with the Communication Center all appropriate notifications have been made.
3. Upon the arrival of all personnel and briefing by the on-scene representative, the Homicide Sergeant will assign specific duties as follows:
  - a. One detective will be assigned as a lead investigator.

- b. Detective(s) will be assigned to go to the hospital, if appropriate; to conduct interviews, collect evidence, liaison with hospital staff.
- c. Detective(s) will be assigned to interview the involved deputy(ies)/Officer(s). Deputy(ies)/Officer(s) directly involved in the use of force will be interviewed only. Pursuant to Department Policy and Procedure 6.33, witnessing deputies should be interviewed. If not, they along with all other deputies, will be required to complete reports covering their observations and actions.

All homicide detective(s) should view the scene prior to conducting interviews if possible.

- d. Detective(s) and appropriate support personnel will process the scene.
- e. Detective(s) will be assigned to conduct a canvas and interview witnesses, as appropriate.
- f. Crime Laboratory personnel along with an investigator will be assigned to process the involved deputy(ies) prior to the interview. Photographs will be taken of the deputy(ies) and utilized equipment in their present condition.
- g. The Homicide Lieutenant will liaison with the on-scene and follow-up media inquiries. The Homicide Lieutenant or his designee will prepare the written media release.
- h. An additional Homicide Sergeant may provide liaison for the involved deputy(ies) and facilitate all activities related to involved personnel, as appropriate.
- i. The Sheriff's Homicide Sergeant or their designee will complete the Racial Profiling and Identification Act (RIPA) as soon as practical or within 24 hours of the incident per Department P&P section 2.55.
- j. The Sheriff's Homicide Sergeant will notify the on-call Family Liaison Officer (FLO) of the incident and provide the necessary information for the FLO to notify the involved subject's family per Department P&P section 6.134. The Sheriff's Homicide Sergeant will liaison with

SDPD to provide any additional information the FLO may need.

**D. Deputy(ies)/Officer(s) Interviews**

1. It is important deputies understand the need to articulate the facts that led up to the incident. Most important is the deputy's ability to describe, in detail, their frame of mind at the time of the incident.
2. Two Homicide detectives shall be assigned to interview the deputy(ies) involved in the incident and the interview shall be audio recorded.
  - a. Prior to the interview, the deputy's weapon shall be collected by the FET and the Weapons Training Unit will provide a loaner weapon.
  - b. The deputy's attorney may be present during the interview if requested by the deputy.
  - c. Internal Affairs personnel will not participate in the interview.
  - d. Deputy(ies)/Officer(s) refusing to talk to the Homicide detectives will be referred to Internal Affairs investigators. The administrative admonishment will be done by the Internal Affairs investigators and the Homicide detectives will not be present or take part in the interview.
  - e. If Internal Affairs assumes the responsibility of interviewing the deputy(ies), they should view the scene and be thoroughly briefed by the Homicide detectives prior to conducting the interviews.
  - f. Administrative interviews do not become part of the Homicide Unit's investigation.

**E. District Attorney's Office personnel on-scene will be provided assistance and information as deemed appropriate by the Homicide Sergeant consistent with the joint protocol agreement.**

**F. Administrative Responsibilities**

The Homicide Lieutenant will brief Department command staff at various stages of the investigation as requested.

1. For continuity and control of information released to the media, the Homicide Lieutenant or designee will be responsible for all media inquiries and briefings.
  - a. Public Affairs should be considered a resource.
2. Upon completion of the investigation both an internal and an independent review of the facts will be conducted.
  - a. Department review of the case file will include the following:
    1. The Homicide team supervisor (for accuracy and completeness).
    2. The investigative chain of command.
    3. The Department administration for the purposes of identifying any training or policy issues (Critical Incident Review Board).
  - b. The completed investigation will be submitted to the District Attorney for review within 90 days.
  - c. Upon approval from the Homicide Lieutenant, a copy of the investigation will be provided to the Division of Inspectional Services to be dispersed as necessary to County Counsel, CLERB, or the Grand Jury.

#### SUPPORT OF DEPUTIES INVOLVED

- A. The Homicide Sergeant or designee will explain to the deputy(ies) involved what will happen over the next few hours. The Homicide Sergeant should also ensure the below conditions have been met.
  1. The deputy(ies) should be provided with a private and secure setting to recover from the incident. Peer support and/or another person as requested by the deputy(ies) may stay with the deputy. The deputy(ies) should not be isolated.
    - a. The deputy should be removed from public view, news media and curious others.
    - b. Do not allow the deputy(ies) to be questioned or discuss the incident with others.

2. Allow the deputy to contact family members. Confirm the deputy has personally contacted his or her family (wife, husband, parents, significant other, etc.) and advised them of his or her welfare prior to releasing the officer's name to the media.
3. The case will be completed and submitted to the District Attorney's Office no later than 90 days from the incident.
4. Upon completion of the review by the District Attorney's Office, the deputy(ies) involved will be personally contacted by Sheriff's Command or designee and given the findings.

#### 3.11.4 REPORTING

- A. All references to reporting procedures for deputy sheriffs shall also apply to any state or local peace officer. All references to agents shall apply to any federal agent.
- B. Accidental Death by Deputy or Agent's Actions

When documenting an unintentional death as a result of a deputy or agent's actions, the incident will be documented on a Crime/Incident Report as a "Death Investigation." The report will contain the following criteria:

##### 1. Crime/Incident Report

###### Report Tabs

- a. Offenses: 920000 - ZZ - DEATH.
- b. Victims: Decedent's factual name and biographical information.
- c. Others: Deputy or agent's factual name only.

Revisions to this investigation will be based on the final determination by the District Attorney's review in the case of a deputy or the FBI's review in the case of an agent.

##### C. Use of Deadly Force Not Resulting in Death

In cases of deadly force upon an offender who survives the incident (OIS, etc.), this report will be documented on a Crime/Incident Report. The report will contain the following criteria:

##### 1. Crime/Incident Report

Report Tabs

- a. Offenses: List offense(s) the suspect was committing at the time deadly force was used.
- b. Victims: Deputy/Agent's name and/or victim's name who deputy or agent was attempting to protect.

C. Use of Force Resulting in Death

In the event of death caused by a deputy or agent's intentional actions, while in the performance of his/her duties, this incident must be reported as a homicide as required by FBI Uniform Crime Reporting (UCR) Program.

In assertions of self-defense by law enforcement or private citizens involving death, there is a crime that is alleged to have occurred in conjunction with the use of deadly force. Therefore, the crime being committed when the homicide took place must be reported as a separate offense. Until a thorough investigation and review conclude the use of deadly force was justifiable, the incident of deadly force will be reported as a homicide as required by the UCR program.

To properly document an assertion of self-defense resulting in death, two case numbers will be required. One case will report the alleged crime that occurred in conjunction with the use of deadly force, and the other to document the homicide.

1. Crime/Incident Report - Homicide Report:

The homicide report will be documented in NetRMS with the following criteria:

Report Tabs

- a. Offense: 920001 ZZ Homicide Investigation.
- b. Victim: Decedent's factual name and biographical information.
- c. Suspect: For First Name use Deputy/Agent/Officer. For Last Name use: Sheriff (e.g., Deputy Sheriff).
- d. Suspect Age, Sex, and Race: Deputy's factual information.
- e. Others: Deputy or Agent's factual information (*excluding: DOB, home address, and personal phone numbers*).

2. Crime/Incident Report – Offense Prior to Homicide:

The crime report will be documented in NetRMS with the following criteria:

Report Tabs

- a. Administrative:
  - i. Case Disposition: Exception
  - ii. Clearance Basis: Death of Offender
- b. Offense : Appropriate offense (245 PC, etc.),
- c. Victim: Deputy or agent's factual information (*excluding: DOB, home address, and personal phone numbers*), or private citizen's complete biographical information.
- d. Suspect: Offender's complete biographical information.

E. If the District Attorney's Office or FBI's review determines the incident to be justifiable, then the offense will be amended. This will be accomplished by adding a follow-up report within the case folder and amending the offense to either 196PC Justifiable Homicide by Peace Officer in cases of state or local peace officers, or 197PC Justifiable Homicide by Private Citizen in cases involving private citizens or federal agents.

1. Follow-up Report:

Victim Tab

- a. Victim of: 196PC Justifiable Homicide by Peace Officer, or 197PC Justifiable Homicide by Private Citizen.
  
- b. Circumstances: Criminal Killed By Law Enforcement Officer, or Criminal Killed By Private Citizen.
- c. Justifiable Homicide Circumstances: select appropriate reason from list.

F. The Homicide Sergeant will direct the primary deputy what reports are required and which offenses to utilize for the preliminary investigation.

G. It will be incumbent upon the Homicide Unit Lieutenant to ensure, once the clearance letter is received from the District Attorney's Office or Federal Bureau of Investigations (FBI) in cases involving federal agents, changes are made updating the case to a justifiable homicide.

H. In cases where deadly force is used by a federal agent in response to an assault against the agent, the preliminary deputy will list the appropriate offense code as would be used on the same incident involving a private citizen. Federal agents are not considered peace

officers in the State of California; therefore, any offenses related specifically to peace officers would not be appropriate.

I. Officer Involved Shooting Resulting in Death of an Unarmed Suspect

1. AB 1506 applies to an officer-involved shooting resulting in the death of an unarmed civilian when caused by a California peace officer while on duty or off-duty but acting under the color of authority.

A civilian is armed when they are in possession of a deadly weapon, which includes, but is not limited to, any loaded firearm, BB/pellet guns, even if unloaded or inoperable, are deadly weapons. A switchblade knife, pilum, ballistic knife, metal knuckle knife, dagger, billy club, blackjack, plastic knuckles, or metal knuckles. (Gov. Code, § 12525.3, subd. (a)(1).)

Objects that have a legitimate non-weapon purpose are considered deadly weapons only when, based on all the circumstances, they are used in a manner likely to produce death or great bodily injury. Replica firearms are not considered deadly weapons unless they are used in some particular manner likely to produce death or great bodily injury (e.g., as a bludgeon).

2. Once a shooting is believed to meet the criteria of AB 1506 the California Department of Justice shall be notified.
  - a. The Homicide Team Sergeant shall notify the Homicide Lieutenant.
  - b. The Homicide Team Sergeant shall then notify LA CLEAR GC 7922.000-Privacy Interest and request contact with a DOJ Special Agent Supervisor. The Homicide Team Sergeant will provide a brief of the OIS to the DOJ Supervisor so they can further evaluate the criteria and respond if the OIS qualifies.
  - c. The Homicide Unit will cooperate and collaborate with the DOJ to ensure they have full access to the investigation.

**3.12.0 IN-CUSTODY DEATH  
INVESTIGATIONS**

**3.12.1 PURPOSE**

To establish a procedure for a thorough investigation of an in- custody death. Whenever the death of a person occurs or likely will occur, who is in the custody of the Sheriff. In addition to the normal investigative reports, the death must be reported to the California Department of Justice within 10 days. The investigation should be completed within 90 days. If the in-custody death occurred as a result of a use of force or an officer involved shooting, the completed case shall be submitted to the District Attorney's office for review within 90 days.

**3.12.2 PROCEDURE**

When a person dies, who is in the custody of the Sheriff, the circumstances of the death should be investigated immediately.

All witnesses/inmates housed with the decedent will be interviewed as soon as possible. In the detentions setting, detectives from the Homicide Unit will interview all percipient witnesses in all in-custody deaths. In the event an interview cannot be conducted, the witness(es) will write a Deputy's Report to document the incident. All interviews will be digitally recorded.

The Detentions Investigations Unit will respond to all in-custody deaths and assist the Homicide Unit with investigative duties and tasks as needed and as directed per Detentions P&P section M.7.

The Homicide Sergeant will notify the on-call Family Liaison Officer (FLO) of an in-custody death as soon as practical. The FLO will work in coordination with the Homicide Unit, the Medical Examiner's Office, Sheriff's Chaplain Program, and other resources to provide support to the family of the decedent.

Unless contractually obligated or directed by a Memorandum of Understanding/Agreement, Homicide will not investigate the death of another agencies' arrested person in our jail's sallyport. That agency will conduct the primary investigation, Sheriff's Homicide Unit will accommodate that agency as necessary.

Homicide will complete an ICD investigation once the investigation has started, regardless of if the incarcerated person is compassionately released after the investigation has commenced.

- 3.12.3 In addition to the normal investigative reports, a written report must be submitted to the California department of Justice within ten (10) days of occurrence by the Homicide Crime and Intelligence Analyst. Sheriff's Homicide will be the only unit responsible for completing and submitting all DOJ ICD forms (BCIA 713). The Homicide Lieutenant, Divisional Inspectional Services Lieutenant and the Public Affairs Lieutenant will meet every December to ensure accuracy of this data.
- 3.12.4 The Detention Services Bureau's Mental Health Program Manager is responsible for ensuring a psychological autopsy is completed when an incarcerated person commits suicide. A psychological autopsy is a written reconstruction of an individual's life with an emphasis on factors that led up to and may have contributed to the death. The Homicide Unit will assist the professional staff assigned to conduct a forensic autopsy by answering questions, providing copies of completed reports, providing evidence pictures, and allow them to be at the briefing.
- 3.12.5 Upon the approval from the Homicide Lieutenant, a copy of the investigation will be provided to the Division of Inspectional Services to be dispersed as necessary to County Counsel, CLERB, or the Grand Jury.

**3.13 ARRESTS –  
NOTIFICATION TO DSB**

- 3.13.1 **PURPOSE**

To establish a procedure for the notification of the Detention Services Bureau a person has been arrested by the Homicide Unit is entering their custody.
- 3.13.2 **POLICY**

Due to the nature of homicide cases, a high risk of suicide may exist for those arrested and booked by the Homicide Unit. The Homicide Unit shall notify the Detention Services Bureau of these arrests.
- 3.13.3 **PROCEDURE**

The Homicide Unit's lead detective shall notify the booking facility watch commander upon booking any arrestee. The lead detective shall also notify the facility watch commander of any known mental health issues as

well as any known past or present attempted suicides or ideations of suicide.

The supervisor of the lead detective shall ensure the booking facility watch commander is notified and information was passed. The supervisor will also send an e-mail to the DSB Commanders and Assistant Sheriff contemporaneously with the notification to the Facility Watch Commander. The Homicide Unit Lieutenant, Major Crimes Captain, LESB Investigations Commander, and the LESB Assistant Sheriff will be included on this email.

#### **4.0 HOMICIDE UNIT MANUAL – FOLLOW UP INVESTIGATION**

<b>4.1.0 PSYCHOLOGICAL PROFILING AND “VICAP”</b>
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##### **4.1.1 PURPOSE**

The purpose of a psychological profile is to identify and interpret certain items of evidence at a crime scene, which would be indicative of a personality type of an individual committing the crime. Its objective is to provide the investigator with personality composite of the suspect to aid in their identification and apprehension.

Psychological profiling can be productive in any crime where a suspect has demonstrated some form of psychopathy in his crime. Any crime where evidence indicates a mental, emotional or personality aberration a profile may be provided.

##### **4.1.2 PROCEDURE – “VICAP”**

VICAP, the VIOLENT CRIMINAL APPREHENSION PROGRAM, is a national data information center designed to collect, collate, and analyze information regarding the following:

1. Solved or unsolved homicides or attempts, especially those that involve an abduction; are apparently random, motiveless, or sexually oriented; or known or suspected to be part of a series.
2. Missing persons, where the circumstances indicate a strong possibility of foul play and the victim is still

missing.

3. Unidentified dead bodies, where the manner of death is known or suspected to be homicide.

Cases in which the offender has been arrested or identified should be submitted to permit unsolved cases in the VICAP system to be evaluated for possible linkages to the known offender.

The VICAP staff determines if similarities exist among the individual cases reported and in the VICAP database. The identification of similar patterns is made by analyzing modus operandi (MO), victimology, physical evidence, suspect description, and suspect behavior exhibited before, during, and after the crime.

It is the objective of VICAP to provide all law enforcement agencies reporting similar pattern violent crimes with the information necessary to initiate a coordinated multi-agency investigation so that they may expeditiously identify and apprehend the offender(s) responsible for the crimes.

VICAP SECURITY – VICAP is authorized by 28 USC 534 to collect, classify, analyze and preserve records on violent crimes and their offenders. The National Center for Analysis of Violent Crime (NCAVC) is specifically authorized to maintain a computer-assisted national clearinghouse for the analysis of violent crimes with specific interest in murder, rape, child sexual abuse, arson, and bombings. Based upon Privacy Act guidelines, the substance of each case remains within the purview of the FBI and will not be disseminated without prior approval of the submitting agency.

VICAP CRIME ANALYSIS REPORT – The purpose of the VICAP Crime Analysis Report is to collect data for analysis, which will lead to the identification of patterns of violent crime throughout the country. Although the completion of the Report and submission of cases is voluntary, the importance of doing so cannot be over emphasized. A single Report received and analyzed by the VICAP staff could initiate a coordinated effort among law enforcement agencies hundreds or even thousands of miles apart and expedite the apprehension of a violent serial offender before they kill again.

The VICAP Crime Analysis Report form is designed to be quickly and easily completed. The form consists primarily of check-box responses, with some fill-ins, and a short narrative summary of the case. The form will be filled out and submitted by the Sheriff's Homicide Unit Crime Analyst.

For assistance in completing or submitting the VICAP Crime Analysis Report, contact the VICAP Coordinator of the FBI GC 7922.000-Privacy Interest

## 5.0 HOMICIDE UNIT MANUAL – UNIQUE PROCEDURES

<b>5.1.0 MISSING PERSONS REPORTING</b>
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### 5.1.1 PURPOSE

The purpose of this section is to establish a consistent definition and policy for the investigation of missing persons. Additionally, this section outlines procedures to ensure compliance with Penal Code Section 11114, relating to the submission of dental records to the Department of Justice on all missing persons not located within thirty days.

### 5.1.2 Assigned Detective

The detective assigned to investigate the missing person report shall process the case in a normal manner. The detective will check the report and confirm whether the reporting party was supplied with the proper dental release form. If the form was not provided, the detective will do so, either by mail or in person.

When the missing person has no family or next-of-kin available, the detective may make a written declaration to present to the missing person's dentist. The declaration as outlined in Penal Code Section 11114 should state that the dental records are necessary for the exclusive purpose of furthering the investigation into the missing person's disappearance. When signed by a peace officer, such declaration is sufficient authority to allow for the release of dental records.

If the missing person has not been located within thirty days and the case has not been closed, the detective assigned will arrange to obtain dental records either from the family or by declaration. The dental records, a copy of the original report and the California Department of Justice Missing Persons Report (Form SS 8568), within forty-five days of disappearance will be forwarded to the Sheriff's Records Division by the detective and a request will be made to submit these items to the California Department of Justice (Penal Code Section 11114). If the detective has reason to believe the missing person may have been found deceased but unidentified within San Diego County, the detective should confer with the San Diego Medical Examiner prior to submission of reports and dental records to the Department of Justice. All requests for submission of records and reports to the Department of Justice will be

forwarded to Records on an Investigative Follow-Up Report (SO-3) and will be part of the case file.

It is the responsibility of the detective assigned to initiate, update and cancel broadcasts (local, state and NCIC) as deemed necessary to further an investigation. When a missing person, whose records and reports have been previously sent to the Department of Justice, is located, the assigned detective will notify the Department of Justice promptly including "located or closed missing person cases. If the missing person is an "at risk" with foul play suspected, the investigation will be given to the "on-call" sergeant for assignment to a detective. The detective will have responsibility for all aforementioned.

5.1.3 Records

The Records Division shall, upon the request of the detective assigned, forward submitted copies of dental records and reports to the California Department of Justice.

**5.2.0 TELETYPE-WANTED  
PERSONS/VEHICLES, ETC.**

5.2.1 PURPOSE

The purpose of this section is to set guidelines and assist the investigator in using the NCIC system to apprehend wanted criminals or locating involved or stolen vehicles.

5.2.2 PROCEDURE

A. Criteria for Entry in Wanted Person File

1. An individual for whom a Federal warrant is outstanding may be entered in the Wanted Person File.
2. An individual for whom a felony or serious misdemeanor warrant is outstanding may also be entered in the file.

Probation and parole violators meeting the criteria in number 1 or 2 above may be entered.

Any juvenile meeting the criteria in number 1 or 2 above may be entered provided he/she will be tried as an adult for the charges against him/her.

Before entering a record of a wanted person in NCIC, the entering agency must attempt to determine, to the maximum extent possible, that extradition will be authorized if the individual is located in another state. For NCIC purposes, extradition is the surrender by one state to another of an individual charged or convicted of an offense outside its own territory and within the territorial jurisdiction of the other.

In instances where an agency is absolutely certain that the wanted person will not be extradited, the individual's record must not be entered in NCIC. Such records are more appropriately maintained in a state or local system.

**B. Entry Procedure**

After a felony warrant has been obtained, it may be hand delivered to the Field/Office Services. The Warrant Clerk should be contacted and the request for NCIC entry made with that clerk. In the case of a murder or other serious felony warrant, a verbal notice should be made to the clerk to ensure the warrant is entered in an expeditious manner.

**C. Retention Period for Wanted Person**

A wanted person who has not been located or has one locate message appended will remain in file indefinitely or until action is taken by the originating agency to clear the record.

**D. Criteria for Entry in Vehicle File**

The purpose of the Vehicle File is to provide assistance in the recovery of a stolen vehicle or a vehicle involved in the commission of a crime (felony vehicle).

An unrecovered stolen vehicle may be entered in the Vehicle File if a theft report has been made. The entering agency must maintain the entry in an up-to-date status.

A felony vehicle may be entered in the Vehicle File immediately providing the whereabouts of the vehicle is unknown.

**E. Retention Period for Stolen Vehicle or Felony Vehicle**

Unrecovered stolen vehicle records without a VIN or OAN therein will remain in the Vehicle File for 90 days after entry. They will be automatically removed from file at the next Vehicle File purge following the minimum 90-day retention period.

Unrecovered felony vehicle records will remain in the Vehicle File for a minimum period of 90 days after entry and will be automatically removed from file at the next Vehicle File purge following the minimum 90-day retention period.

Unrecovered stolen vehicles with a VIN will remain in the system four years.

F. Entry Into the System

All entries will be made through the central teletype in the Records Division.

**5.3.0 UNIDENTIFIED DECEASED PERSONS (MUPS)**

5.3.1 PURPOSE

The California Department of Justice has developed a computerized method to assist law enforcement agencies to identify unidentified deceased persons through dental records and physical characteristics of known reported missing persons.

5.3.2 PROCEDURE

A. Background

The California Department of Justice Missing/Unidentified Deceased Persons Unit is comprised of two programs – the Dental Identification Program and the Missing/Unidentified Deceased Persons Program. The Dental Identification Program maintains dental records and reports on missing persons and unidentified deceased persons as submitted by law enforcement agencies pursuant to Penal Code Section 11114 and Health and Safety Code Section 10254. The Missing/Unidentified Deceased Persons Program maintains physical characteristics and related reports on missing and unidentified deceased persons as submitted by law enforcement agencies when dental records are not available.

A missing person report includes name, dental records and physical characteristics of the missing person, date missing, reporting agency, case number and criminal record of the person, if any. An unidentified deceased person report includes the dental records and physical characteristics of the person, date found, estimated time of death, cause of death, reporting agency, and case number. The Unit compares reports

on unidentified deceased persons with reports of missing persons for possible identifications. If a possible match is made based on dental records and/or physical characteristics, the coroner who submitted the report on the deceased person is notified and sent the records of the missing person for positive identification.

The Unit maintains records on missing and unidentified deceased persons as long as an agency wishes and is continually compared against new incoming reports.

Inquiries regarding the Missing/Unidentified Deceased Persons Unit should be addressed to: California Department of Justice, P.O. Box 13417, Sacramento, California 95813, GC 7922 000-Privacy Interest Attention: Missing/Unidentified Deceased Persons Unit.

**B. Computer Entry**

Frequently, Homicide Detectives investigate death investigations where the remains or partial remains of the victim are unidentified (Jane/John Doe). If routine investigative efforts to identify those remains prove to be negative, the physical characteristics of the victim will be entered into the NCIC computer as outlined in the "Notes for Terminal Operators" and accompanying "Worksheet."

It will be the responsibility of the primary investigator assigned to the case to insure a proper NCIC entry immediately from the assignment of the case.

Note: It is the responsibility and function of the Medical Examiner's Office to submit dental records and charts of unidentified deceased persons to DOJ via a staff dentist.

After the investigator has completed the computer entry worksheet, a copy of it should be submitted to the Sheriff's Records teletype for entry. A copy of the entry should be kept with the case file. In the event the deceased person is identified, the assigned investigator must cancel the entry. When the proper NCIC entry has been made, the master logbook shall reflect "Entered NCIC" and the date it was entered.

**5.4.0 LIAISON WITH MEXICAN  
AUTHORITIES**

5.4.1 PURPOSE

The close proximity of San Diego County with Mexico deems it necessary that witnesses, suspects and evidence will go into Mexico. The primary detective in charge of the homicide will facilitate any investigative need with the Sheriff's Department International Liaison Detectives.

**5.5.0 MURDER PROSECUTIONS  
IN MEXICO**

5.5.1 PURPOSE

Under Mexican law, whenever a Mexican citizen is the victim or a suspect in a homicide that occurred anywhere in the world, and the suspect of the murder has fled to Mexico, the suspect may be arrested and prosecuted in Mexico.

5.5.2 PROCEDURE

Whenever a murder occurs, and the victim or the suspect is found to be a citizen of Mexico, and the suspect has entered Mexico, the Mexican authorities can – and usually do – assume jurisdiction for the prosecution.

5.5.3 The Detective will notify the International Liaison Detectives of the Criminal Intelligence Unit to assist with the bureaucratic procedures required of the Mexican Federal Prosecutor. Procedures vary from time to time; however, certain standards are consistent:

1. The crime reports and investigative reports must be written in a format acceptable to the Mexican authorities.
2. The reports must be translated into Spanish and notarized and have attached a Legalization Document issued by the Mexican Consulate.
3. All reports may have to be reinforced by a formal deposition at a date and time designated by the Mexican Federal Prosecutor.

4. A Mexican Murder Case Package – meeting precise requirements – must be filed with the Mexican Federal Prosecutor in the state in which the suspect will be tried.

Within the department, the International Liaison Detectives will coordinate the prosecution in Mexico and will provide guidelines upon request.

<b>5.6.0 INVESTIGATIONS IN OTHER JURISDICTIONS</b>
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5.6.1           PURPOSE

It occasionally becomes necessary to conduct a part of an investigation outside San Diego County.

5.6.2           If the investigation will be conducted in Mexico, refer to Section 5.5.0.

5.6.3           If the investigation is conducted outside the County of San Diego, the detective will submit an Investigative Travel Request prior to his/her travel unless exigent circumstances exist.

5.6.4           It is recommended that when a detective enters another jurisdiction to conduct an investigation that he/she contact the law enforcement agency in which he/she will be working of the purpose of either:

1. Extending courtesy to the agency.
2. Advising them of the purpose and scope of the investigation.
3. Soliciting information, which could aid the investigation.
4. Soliciting assistance in the investigation.

<b>5.7.0 FAMILY LIAISON OFFICER PROGRAM (FLO)</b>
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5.7.1           PURPOSE

Department Policy and Procedure 6.134 directs a Family Liaison Officer (FLO) to be deployed to effectively communicate with the family of a subject who has:

- Died in the custody of the Sheriff's Department
- Died, is likely to die, or has been significantly injured because of a deputy involved shooting
- Died, or is likely to die, because of a deputy use of force
- Been involved in any significant incident which would benefit from an FLO response with approval from the Major Crimes Division Captain

Department Procedure directs personnel to the Homicide Manual for further guidelines.

#### 5.7.2 PROCEDURE

- A. The FLO Program is managed by the Major Crimes Division Captain and is coordinated by the Homicide Lieutenant. The Major Crimes Division Captain is responsible for maintaining adequate FLO staffing and will select new members as needed.
- B. The Homicide Lieutenant will keep a roster of active FLOs, maintain a rotating FLO call-out calendar, conduct appropriate FLO training, and hold periodic debriefs. The Homicide Lieutenant will coordinate with the Sheriff's Chaplain Program Director to ensure on-call chaplains are available to respond. The Homicide Lieutenant will provide the Communications Center with the contact information of the on-call FLO.

The Homicide Lieutenant will be responsible for evaluating incidents for FLO response criteria, locating the next of kin, contacting the on-call FLO at the appropriate time, ensuring the FLO is adequately briefed, and work with the FLO to answer questions which may arise. The Homicide Lieutenant will work with the Homicide Sergeant and the FLO to develop a family contact strategy which results in the FLO program success and investigative needs.

The initial investigative response, identifying the subject, and locating the next of kin can be time consuming and take many hours or even days depending on the circumstances. The FLO who is on-call at the time family contact is needed will generally be utilized This may be different than the FLO who was on-call at the time the initial investigative response occurs.

C. Family Liaison Officer

The lieutenants assigned to the FLO program will work with the Homicide Lieutenant and the FLO cadre to ensure an FLO is always on-call. The FLO will notify and coordinate a timely response with the on-call chaplain.

The FLO will contact the family of the subject in coordination with the Homicide Unit. The contact will be made in a timely manner and in person with a chaplain in all reasonable circumstances. Generally, in person contact will be made within the county and adjoining counties unless directed by the Major Crimes Division Captain. Contact by phone is reasonable in all other circumstances.

The FLO will make reasonable attempts to attend to the family of the subject, provide a cellular phone number, answer questions, have routine contact, provide or arrange services above that of a normal member of the public, and be the sole point of contact. To avoid frustration, the family of the subject should generally not be directed to call other units or agencies without arraigning it with a named person who is expecting the contact.

D. Administration

The Homicide Unit will be responsible for all overtime, travel, or incidental costs of the FLOs. The Homicide Lieutenant will arrange for any FLO travel or costs.

**GC 7922.000-Privacy Interest**

Route completed PR-1 forms to the Major Crimes Division Captain for approval.

**5.8.0 CITIZENS' LAW ENFORCEMENT  
REVIEW BOARD**

5.8.1 PURPOSE

A. The Memorandum of Understanding (MOU) between the San Diego County Sheriff's Department and the San Deigo County Citizens' Law Enforcement Review Board (CLERB) is the foundational document for the

enhanced working relationship between the department and CLERB. The purpose of this policy is to further direct personnel within the Homicide Unit to accomplish the requirements of the MOU.

- B. The San Diego County Administrative Code, sections 340 – 340.15, established CLERB and empowers CLERB to investigate the death of any individual arising out of or in connection with actions of a deputy. CLERB can initiate this specific investigation with or without a citizen's complaint. Based on the Administrative Code, this provides CLERB the authority to investigate fatal deputy involved shootings or other use of force deaths and in-custody deaths. The MOU allows a qualified CLERB investigator to respond to the scene of these events.

#### 5.8.2 PROCEDURE

- C. DIS is the CLERB liaison with the department. Homicide will notify DIS of a qualifying event or when death is likely, and the Homicide Unit is responding. DIS will notify the on-call CLERB investigator of a qualifying event.
- D. DIS will attend the homicide briefing. The Homicide Lieutenant will discuss any information about the investigation which cannot be released to the CLERB investigator. DIS will then provide a separate brief to the CLERB investigator. The CLERB investigator will not be part of the homicide briefing itself.
- E. The Homicide Lieutenant will coordinate with DIS to determine a location where the CLERB investigator can view the scene without being in the scene. The location of the scene or other factors outside of the control of the Homicide Lieutenant may limit or make the viewing of the scene impractical. In these circumstances, the CLERB investigator may be offered the opportunity to walk through the scene after the Homicide Unit has completed processing the scene.
- F. The Homicide Lieutenant will provide a list of known witnesses to DIS within thirty days to be provided to the CLERB investigator. The Homicide Unit is not required to provide additional updated witness lists to DIS if additional witnesses are determined after the initial list is provided.

## 6.0 HOMICIDE UNIT MANUAL – INVESTIGATIVE AIDS

### 6.1.0 SOURCES OF INFORMATION

#### 6.1.1 PURPOSE

To provide the Homicide detective with various resources available to aid an investigation. A more detailed resource book is available in the Unit Library.

#### 6.1.2 INVESTIGATIVE RESOURCES

The unit maintains a living document of case investigative resources, methods, and guidelines. The document can be found in GC 7929.210-Information Security R

## 7.0 HOMICIDE UNIT MANUAL – HOMICIDE PROTOCOLS

### 7.1.0 DEFINED HOMICIDE INVESTIGATIVE PROTOCOLS AND GUIDELINES

#### 7.1.1 PURPOSE

To provide the detective with a copy of defined and established protocols for investigations at specified locations or for external entities. This may include Officer Involved Shootings, In-Custody Deaths, Other Uses of Force Resulting in Death, Homicides, or other specialized investigations outlined in the respective MOU/MOA. These documents are listed in GC 7929.210-Information Security for reference.

## 8.0 HOMICIDE UNIT MANUAL – HOMICIDE FORMS

### 8.1.0 FREQUENTLY USED HOMICIDE FORMS

#### 8.1.1 PURPOSE

To provide the detective with frequently used forms as well as providing the detective with guidelines to be used as a resource during the course of their investigation.

8.1.2 HOMICIDE FORMS

The frequently used forms are kept in files on the Sheriff's Intranet, GC 7929.210-Information or within NetRMS.

**9.0 HOMICIDE UNIT MANUAL – TRAINING**

Training Requirements for Homicide Investigators

Each homicide investigator should have already completed the following courses prior to their appointment to the Homicide Unit if possible:

- Basic Investigations Course
- Department Specific Detective Entry Course
- Field Evidence Tech Course
- Interview and Interrogations Course

Each homicide investigator at a minimum will be scheduled, AS SOON AS PRACTICAL, to attend the following courses:

- Homicide Investigations Course
- Force Science Course
- Officer Involved Shooting Course
- Blood pattern analysis
- Skeletal recovery

**10.0 HOMICIDE UNIT MANUAL – ADDENDUMS**

**Addendum A – Memorandum of Understanding - Countywide protocol for Deputy/Officer involved shootings and other deadly force incidents (See attachments)**