

Unit Order #48 - ATTACHMENT

ONE-YEAR STATUTE DATE CALCULATION

(Management Directive #48)

DATE	EVENT
	Incident
	Department Awareness
	Criminal Investigation E
	Criminal Investigation ended/
	One Year Statute D

Guidelines:

One-year statute date shall be calculated from the incident date.

* In cases where the date discovery of the allegation of misconduct "Department awareness date" is different from the incident date, it may be unreasonable to use the incident date as the start date to calculate the one-year statute date. The investigator shall discuss the facts of the case with his/her team lieutenant in order to decide whether the incident date or the Department awareness date will be used to determine the one-year

statute date.

** The investigator shall discuss the facts of the case with his/her team lieutenant in order to determine the date the criminal investigation began.

*** The ending date is one of the following: 1) the date that the criminal investigating unit or agency closed the investigation (i.e., did not seek a criminal filing); 2) the date of the District Attorney case reject; or 3) the date of the adjudication of the criminal case in court.
