

UNNIT ORDER #51 - CRIMINAL MONITOR CASES-INTERNAL CRIMINAL INVESTIGATIONS AND OUTSIDE AGENCIES CRIMINAL INVESTIGATION OF DEPARTMENT MEMBERS

PURPOSE OF THIS DIRECTIVE:

To establish a Bureau standard for the handling of criminal monitors of criminal investigations conducted by the Internal Criminal Investigations Bureau (ICIB) and outside law enforcement agencies.

SCOPE:

This Unit Order applies to criminal monitors of ICIB investigations as well as outside law enforcement agencies conducting criminal investigations involving department personnel.

PROCEDURES:

Upon receiving the criminal monitor the IAB investigators shall obtain all police reports and related documents, including any protective orders.

The IAB investigator must quickly determine if the protective order prohibits the employee from possessing a firearm, and if so the duration of the protective order and any modifications to it.

The investigator will contact the criminal investigator and receive periodic updates regarding the status of the investigation (e.g. case closed, case at the district attorney for filing consideration, case rejected, case filed).

Note: If the case is filed by the District Attorney or City Attorney obtain a copy of the criminal complaint filed by the DA/CA. If the case filed is a Felony, a certified complaint must be obtained in order to serve the employee with an 18.01 letter. If misdemeanor charges are filed an 18.01 letter may also be served if there is a job nexus.

The ICIB case will be returned to the concerned unit for their disposition. Note: This option is available for use in those rare cases in which ICIB closed the investigation because there was insufficient evidence of a crime and there did not appear to be any policy violations.

ICIB will prepare and send a memorandum from the Internal Investigations Division Commander (who oversees IAB and ICIB) to the concerned Division Chief advising him or her of the case handling determination, as outlined above.

GOALS:

The goals of this directive are:

- To ensure that all ICIB criminal investigations of Department members are documented and tracked in PRMS; and,
- To document the process of handling the case once the criminal matter has been completed.

