

UNIT ORDER #58 - CRIMINAL MONITORS

PURPOSE OF THIS DIRECTIVE:

To inform IAB investigators of their responsibilities relating to criminal investigations they have been assigned to monitor.

SCOPE:

This Unit Order applies to criminal monitors of ICIB investigations as well as outside agency criminal investigations.

PROCEDURES:

The assigned IAB investigator shall:

- Obtain all police reports and related documents, including any protective orders;

Note: it is imperative that the IAB investigator quickly determine whether or not a protective order prohibits the employee from possessing a firearm (because the employee then must be relieved of duty), and if so, the duration of the protective order and any modifications to it (sometimes the employee is able to have the firearm restriction lifted so that the employee can return to full duty status and carry his firearm at work)
- contact the criminal investigator at the outset and then periodically for updates regarding the status of the investigation (e.g., closed by the investigating agency, sent to the DA for filing consideration; DA reject; DA filed the case). If the case is filed by the DA (or City Attorney), the IAB investigator shall:
 - obtain a copy of the criminal complaint filed by the DA/CA (Note: if felony charges are filed, 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)
 - contact the DA and court for periodic updates regarding the status of the case (continuances, etc.)
 - obtain a certified minute order after the case has been adjudicated in court
- be thoroughly familiar with all aspects of the criminal investigation and its progress through the criminal justice system;
- periodically update his team lieutenant with the status of the criminal investigation.

When the criminal case has been completed (either closed by the investigating agency, DA reject, or the case was adjudicated in court), the case will be sent to the employee's Unit of assignment for a unit-level administrative investigation or administrative review.

DUI arrests:

Persons arrested for drunk driving must surrender their driver's license to the arresting officer. The person is

provided with an interim license to drive for thirty days, during which time the person may schedule a DMV hearing in order to obtain a restricted license in order to drive to and from work. The employee's Unit is responsible for checking DMV records to ensure that the employee's license is not suspended/revoked
