



<b>Somerville Police Department</b> 		<b>TYPE:</b>		<b>POLICY NUMBER:</b>		<b>VERSION:</b>	
		<b>GENERAL ORDER</b>		<b>109</b>		<b>2.00</b>	
		<b>Subject:</b> <b>Preliminary Investigations</b>					
<b>Issuing Authority:</b> <b>Charles Femino</b> <b>Chief of Police</b>		<b>Signature:</b> 		<b>Effective Date:</b> December 6, 2021			
		<b>Number of Pages:</b> Page 1 of 6					
<b>Accreditation Standards (5<sup>th</sup> Edition) 42.1.1, 42.2.1, 42.1.4, 55.2.3</b>				<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised <input type="checkbox"/> Amended			
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## Purpose

The purpose of this policy is to provide guidance to those officers who conduct preliminary investigations. The ultimate success or failure of police efforts in solving a case is often based on the immediate police response and preliminary investigation. This is generally the responsibility of patrol officers who are nearly always the first officers on the scene of a reported crime. It is the patrol officer who will initially discover facts, locate and identify witnesses, and preserve physical evidence that is relied on by the police investigator in the subsequent search for the criminal.

## Policy

The preliminary investigation is the responsibility of the Patrol Division because of its twenty-four (24) hour availability and capacity to provide prompt and efficient service. The follow-up investigation is the responsibility of the CID. The Somerville Police Department CID has twenty-four (24) hour service capabilities. [42.1.4] [42.1.1]

## Procedure

- A. Patrol units shall proceed promptly to a crime scene but shall do so in a safe manner. A patrol unit shall not proceed to a crime scene unless:
  1. It is specifically ordered to respond (other units should remain on the perimeter to assist in apprehension of the offender or to perform other duties as directed.)
  2. The crime occurs, or is discovered, within the assigned area of the unit.
- B. The Patrol Unit is generally responsible for preliminary investigatory work by observing all conditions and events that relate to a crime. [42.2.1(a)]

1. The unit, as it approaches the scene, shall be alert for any sign of suspicious activity, especially evidence of a fleeing criminal, and should be alert for a preliminary description or other useful information from dispatchers.
  2. The officer or unit (investigating officer) first arriving on the scene shall be in command and conduct the preliminary investigation, subject however to the limitations set forth in Sections 12 and 13 below. The officer or unit shall attempt to locate the complainant.
  3. The investigating officer shall immediately determine the necessity of first aid for any injured persons at the scene.
    - a. The aid may be rendered by the investigating officer.
    - b. The aid of a by-stander may be sought to free the investigating officer for other activities.
    - c. If the injury is of a serious nature, the investigating officer shall call for the appropriate medical assistance.
  4. The officer or unit shall attempt to locate and interview the complainant. [42.2.1(d)]
- C. When the investigating officer has determined that a crime has occurred, the officer may then seek to arrest the offender if there is a reasonable likelihood that the offender could be apprehended. Some of the factors which may be considered in determining whether the officer should leave the scene are:
1. The nature of the crime
  2. The time of day
  3. The location of the crime
  4. The lapse of time between the crime and arrival at the scene
  5. The availability and extent of an immediate description
  6. The availability of other officers to conduct the pursuit and/or make the arrest
- D. The investigating officer, as soon as practicable under the circumstances, shall communicate to the dispatcher the following information:
1. The nature of the crime
  2. A description of the offender and the direction in which he/she fled
  3. A description of the vehicle, if any

4. Whether or not the offender is armed
- E. The investigating officer shall secure the crime scene and preserve evidence. [42.2.1(c)]
1. Physical evidence shall not be touched or moved unless it is absolutely necessary to ensure its preservation.
  2. The investigating officer shall briefly record any evidence that may relate to the crime and shall then request the services of specialists if needed (crime scene technicians).
  3. Unauthorized persons shall not be permitted to enter the scene. Unauthorized persons shall mean any civilian or police personnel not necessary for continuation of the investigation.
  4. The investigating officer shall be responsible for the unavailability or destruction of evidence due to his/her own lack of diligence or improper activity.
- F. The investigating officer shall locate, identify, and interview witnesses and suspects. [42.2.1(b)(d)]
1. Witnesses shall be separated to ensure independent statements.
  2. Witnesses should be questioned as soon as practicable and in a quiet area if available.
  3. Suspects should be interviewed, refer to [103 - Interviews and Interrogations](#).
- G. During a preliminary investigation, the contact between the investigating officer and the victim/witness may be critical in determining the future of the investigation. Therefore, officers conducting preliminary investigations shall be prepared to provide the following information/assistance: [55.2.3]
1. Provide information to the victim/witness regarding services available through the police department, such as medical attention and referrals for counseling as well as additional resources that are available through the District Attorney's Office, such as victim advocacy, compensation programs and emergency financial assistance [55.2.3(a)].
  2. Advise the victim/witness on procedures to follow should the suspect, companions of the suspect, or family of the suspect, threaten or otherwise intimidate the victim/witness or a family members [55.2.3(b)]
  3. Inform the victim/witness of the case number assigned to the complaint and subsequent steps in the processing of the case. (I.e. follow up investigation, DCF contact) [55.2.3(c)]
  4. Provide victim/witness with the telephone number to call should the victim or witness have additional information to report, wish to check on the status of the investigation or

need referrals to services (officers should carry business cards for these purposes)  
[55.2.3(d)]

5. If applicable, advise the victim/witness of the provisions [Mass Gen Laws Ch. 209A](#) and provide the victim with a copy of the notice of domestic violence rights form **LINK**. The rights shall be provided in the victim's native language whenever possible. Copies of this form are located in the Family Services unit and available in English, Spanish, Portuguese and Hattian Creole

H. To promote the success of the interview, the officer should bear in mind: [42.2.1]

1. The peculiar characteristics of witnesses that will affect their statements (e.g., hysteria, belligerence, evasiveness, age ...)
2. The investigating officer's own demeanor (e.g., patience, tact, reassurance ...)

I. The investigating officer shall observe the following minimum standards for interviewing witnesses:

1. Questions should be easily understood
2. Only one question at a time should be asked
3. Avoid questions that imply answers
4. Avoid sarcasm, rudeness, or antagonism
5. Avoid interruptions

J. The investigating officer shall maintain a notebook, and at a minimum, record the following data: [42.2.1(d)]

1. Time of arrival
2. Weather conditions
3. Approximate time of the crime, and when and by whom it was discovered
4. Identity of other officers present
5. Information concerning physical evidence
6. Name, address, and telephone number of the victim(s) and/or witness(es)
7. Hour, date, and location of the interview

8. Description of the criminal, especially unusual characteristics (scars, limp...)
  9. Description of the vehicle, if any
  10. Brief statements as to what a witness heard or observed. However, if a statement appears highly informative due to its nature and content, a verbatim record should be made
  11. Important measurements and a crime scene sketch
  12. Any other useful information the officer believes may be useful in apprehending the criminal.
- K.** The investigating officer shall yield command upon the arrival of: [42.1.4] \
1. A higher ranking officer
  2. A detective or other officer in charge of investigations except where the arriving officer is of a lower rank
  3. It will be the responsibility of the detective/officer assigned to follow up/ resume the investigation to arrange and coordinate the filing of any and all necessary supplemental reports to be filed. Further, the follow up investigator will make the determination of when those supplemental reports are to be filed.
- L.** The investigating officer shall yield the investigation: [42.1.4]
1. When so ordered by the officer in command
  2. On the arrival of a detective or other officer in charge of investigations if the officer conducting the preliminary investigation is not normally responsible for investigations
  3. An outside agency having clear and definitive jurisdiction over the incident such as Housing Police, State Police, MBTA police or a federal agency.
- M.** The transfer of the investigation to the follow-up investigator shall include, but is not limited to, a transfer of the following information:
1. The name of the victim(s) and witness(es)
  2. A description of the offender and vehicle, if any
  3. The identity and location of physical evidence
  4. Any other data that may be of assistance

- N. Upon completion of the preliminary investigation, or when responsibility for it is yielded, or upon completion of the investigating officer's shift; the officer shall file a NIBRS Report concerning his/her activities.
1. The report shall be brief, accurate, and complete.
  2. The report, at a minimum, shall contain the information outlined above and any other relevant facts and observations that would help solve the crime.
- O. The following check-list summarizes the duties of an investigating officer conducting a preliminary investigation:
1. Arrest the perpetrator, if possible.
  2. Arrange for the immediate pursuit of the perpetrators if flight is recent and initiate this pursuit if the possibility of immediate capture is possible.
  3. Provide the best possible description of perpetrators to dispatchers with the direction of flight and whether the perpetrator is armed and/or dangerous.
  4. Care for victim if medical attention is needed.
  5. Carefully protect crime scene from intrusion and preserve all physical evidence.
  6. Seek witnesses and direct that they remain at scene until questioned.
  7. Identify all persons present and record names, addresses, and telephone numbers.
  8. Record any unguarded remarks made by witnesses or others present at the scene.
  9. Make inquiry of neighbors and bystanders as to their knowledge of suspicious persons or vehicles in the vicinity.
  10. Record conditions at crime scene such as the time of the incident, the time of initial report, who made the report, weather, visibility, street lighting, and all other pertinent information.
  11. On arrival of a superior officer or detective who will continue the investigation in more depth, inform this person of the information obtained and the immediate steps that have been taken. A high-level of cooperation between the investigating officers performing preliminary investigations and those responsible for the follow-up investigations is crucial.
  12. Return to normal patrol duties as soon as practicable and file an investigative NIBRS Report.