



ANDERSON COUNTY  
SHERIFF'S OFFICE

GO - 213

## GENERAL ORDERS

## CRIMINAL INVESTIGATIONS

### PURPOSE:

Investigations performed subsequent to criminal incidents account for the vast majority of solved crimes. Few criminals are apprehended during the act. Standards in this policy relate to the criminal investigation function as performed by both uniformed deputies and deputies assigned to specialized investigative components.

### ORGANIZATION AND ADMINISTRATION:

To provide for the effective management of specialized investigations, the Sheriff's Office maintains two investigative components:

- The **Criminal Investigation Division (CID)** is responsible for specialized investigations such as homicides and other death investigations, sex crimes, robberies, fraud and white-collar crimes, and auto theft.
- **Uniform Patrol** is responsible for all investigations not requiring specialists or a long-term commitment of time and resources.

### INVESTIGATIVE ASSIGNMENT:

Deputies are assigned to full time investigative assignments by one of two methods:

1. **Fixed Assignment** - The number of investigative vacancies in CID governs this method. Transfer or competitive promotions determine fixed assignment.
2. **Temporary Assignment** - This is a means of temporarily augmenting CID with personnel from other divisions, usually for no more than ninety (90) days. It is used for satisfying temporary manpower needs, as well as for career development purposes. This is normally accomplished through individual deputy requests and the concurrence of affected Division Commanders.

### INVESTIGATIVE PROCEDURES:

Preliminary investigations are normally assigned to Uniform Patrol deputies with the exception of investigations requiring a plain-clothes or undercover element at the onset.

**PRELIMINARY INVESTIGATIONS** – Deputies conducting preliminary investigations are guided by the following steps:

1. Observe and record conditions, events and remarks at an incident scene
2. Locate and identify witnesses
3. Maintain integrity of the crime scene and protect all evidence
4. Interview complainant and witnesses

5. Interrogate the suspect
6. Arrange for collection of evidence
7. Arrest the offender
8. Report the incident fully and fairly
9. Notify specialized investigators, if applicable

Preliminary investigations may be sufficient to bring cases to satisfactory conclusions eliminating need for follow-up investigations.

**Detailed investigations include:**

1. Information development through witnesses, victims, informants and other human sources.
2. Interviews and interrogation of individuals governed by Sheriff's Office policy and applicable judicial guidelines. In all cases, investigators are to be aware of and guided by the protective rights granted to all citizens under the Constitution of South Carolina and of the United States.
3. Collection, preservation and presentation of physical evidence are often the most reliable factors in determining the identity of an offender. These factors are critical to courtroom proceedings. For this reason, investigators must strictly adhere to the rules of evidence in all phases of gathering, preservation, and presentation.

**FOLLOW-UP INVESTIGATIONS** – The criteria used to assign cases for follow-up investigations includes:

- Documented experiences of the Sheriff's Office in investigating past cases
- Documented investigative experiences of other law enforcement agencies
- Investigative research conducted within the Sheriff's Office and expertise required for follow-up
- Investigative research conducted in other law enforcement agencies
- Initial case screening and assignment for follow-up investigations shall be accomplished by Uniform Patrol platoon sergeants
- Whenever warranted in the judgment of a responsible supervisor, the degree of seriousness in a case may overrule the lack of solvability factors in assigning a case for follow-up

**CRITERIA FOR ASSIGNING SPECIFIC CRIMES FOR FOLLOW-UP INVESTIGATIONS** – The following is to be used as criteria for assigning specific crimes for follow-up investigations. This list is to be used as a guide and should in no way prohibit a supervisor from assigning a case not appearing in the criteria for follow-up:

1. Crimes against persons
2. Burglaries

3. Runaways
4. Missing persons
5. Economic crimes / Identity Crimes
6. Narcotics
7. Organized crime
8. Environmental crime
9. Multiple incidents in a given area
10. Cases requiring follow-up for unusual or specific reasons

**Additionally, incidents not listed above involving:**

1. Suspect identity
2. Information leading to a suspect (witness)
3. Evidence leading to a suspect (tag number, fingerprints)
4. Statements (witness or victim)
5. Incidents with similar method of operation
6. Cases with large monetary loss (theft or damage)
7. Severity of the crime

**IDENTITY CRIME PROCEDURES** – The following procedures will be followed regarding Identity Crime reports:

1. An incident report will be taken initially when Affidavits of Forgery or other relevant documentation is provided by the victim from his/her financial institution. No other specialized report forms are required.
2. Victims are encouraged to stay in touch with their Financial Institution and Credit Bureaus.
3. Investigators will coordinate with other local, state and federal agencies, as needed.
4. The Sheriff's Office will provide information to the public regarding prevention of Identity Theft.

**COLD CASE PROCEDURES** – A Cold Case is defined as a major criminal case, not subject to a statute of limitations, in which all leads have been exhausted without any viable arrests.

1. Cases will be reopened for follow-up whenever new information (or tips) becomes available.
2. An electronic file will be established for each Cold Case. As new information is received, the electronic file will be updated.
3. Periodically, the original paper file will be updated with any new findings.

**NOTE:** *Based on technological advances in Forensics, cold cases will be reevaluated if new DNA evidence is received.*

**FOLLOW-UP TIME FRAME** – All deputies assigned to a follow-up investigation are to file a written report within five (5) working days from the date of assignment detailing their efforts thus far, including a second contact with the principals in the case. Principals are victims, complaints, or witnesses.

**FOLLOW-UP ACCOUNTABILITY** – Supervisors in Uniform Patrol, CID, and Selective Enforcement are to maintain an investigative case status control system. At the time a case is assigned for follow-up, the following information is to be recorded:

1. Investigating deputy assigned
2. Case number
3. Date
4. Case status

**Procedures used in conducting follow-up investigations include:**

1. Reviewing and analyzing all reports prepared in the preliminary investigation
2. Conducting additional interviews and interrogations
3. Reviewing Sheriff's Office records
4. Seeking additional information from other deputies and informants
5. Reviewing results from laboratory examinations
6. Arranging for dissemination of information as appropriate
7. Planning, organizing, and conducting searches
8. Identifying and apprehending suspects
9. Collecting physical evidence
10. Determining involvement of suspects in other crimes
11. Checking suspect's criminal histories
12. Preparing cases for court prosecution
13. Assisting in prosecution

**Checklists** can be utilized in the investigation of complex crimes to ensure critical areas are not overlooked. All cases are assigned to a principal investigator, regardless of how many are assigned to assist. This is to ensure accountability in each investigation.

**TWENTY-FOUR HOUR  
ON-CALL STATUS:**

CID and Special Operations both maintain a twenty-four hour "on-call" schedule for specialized investigators. This schedule is furnished to Communications and updated on a regular basis.

**ROLL CALLS:**

Investigators are assigned periodic attendance at Roll Calls conducted for uniformed officers. This is to enhance the exchange of information, and provide training opportunities.

**CASE FILE  
ADMINISTRATION:**

Case files are maintained on all cases in which investigative activities are ongoing. These files are an immediate information resource to investigators and are to include:

1. Copy of the preliminary incident report
2. Copy of statements
3. Results of examinations of physical evidence
4. Case status reports
5. Other reports and records needed for investigative purposes, such as breath alcohol examination results or prior criminal records
6. Evidence collection forms

Accessibility to case files is limited to deputies on a need-to-know basis. Accessibility normally includes investigating deputies, their supervisors, and the Solicitor's Office. These files are consolidated into the central records system when the case is suspended or cleared.

**Case files are designated by one of four specific status classifications:**

1. **Active** - Indicates the case is assigned to a deputy and the investigation is active.
2. **Administratively Closed** - Indicates all available leads have been exhausted, but the incident has not been resolved, and investigative efforts may be resumed as needed.
3. **Cleared** - Indicates the case has been resolved according to the standards of the Uniform Crime Reporting System:
  - Cleared by arrest
  - Exceptionally cleared
4. **Unfounded** – Indicates there was not enough evidence to justify an investigative follow-up.

**Supervisors of investigating deputies may designate a case suspended, using the following criteria:**

1. Absence of further leads or solvability factors
2. Unavailability of investigative resources
3. Degree of seriousness combined with the above
4. Lack of cooperation from victim or complainant

**CHANGE OF CASE STATUS** – At any point in which there is a change in the status of a case, the principal investigator is to notify the victim of the change. Official notification may be accomplished by letter or by a telephone call. If notification is made by telephone, the investigator is to note the date, time, and whom he talked with on a supplemental report to be filed with the case. Status changes are considered as administratively closed, cleared, or reactivated. Notification to the victim is to be made within five (5) working days of the change in status.

**INTERCHANGEABLE POSITIONS:**

Investigative positions are equivalent to selected positions in Uniform Patrol.

**TASK FORCES:**

Internal investigative task forces are governed by Special Orders issued by the Sheriff. Joint agency task forces are governed by Special Orders issued by the Sheriff. These Special Orders include:

1. Purpose of the task force
2. Defined authority and responsibilities
3. Established accountability
4. Resources available to the task force

5. The requirement that results be evaluated, along with determining the continued necessity of the task force

**CONSTITUTIONAL SAFEGUARDS:**

All criminal investigations are to be conducted with rigorous compliance; with constitutional requirements governing the rights of an individual, to include:

1. Deputies are to ensure all statements or confessions are given freely and voluntarily.
2. Suspects are informed of their rights before custodial questioning.
3. There is no unnecessary delay in arraignment.
4. Defendants are not deprived of their right to counsel.
5. There is no unnecessary pre-trial publicity tending to prejudice a fair trial.

**OFFICE INTERVIEWS AND INTERROGATIONS:**

Investigations frequently involve interviews and interrogations conducted in the office. Investigators conducting interviews or interrogations are responsible for the supervision and welfare of arrestees/detainees detained within interview or temporary detention areas. Interview/interrogation and temporary detention areas are available for use by field deputies who then assume responsibility of detained subjects.

**TEMPORARY DETENTION:**

Holding cells at the Sheriff's Office are primarily used to temporarily detain persons being held for CID. The holding cells are strategically located near the desk officer's location which provides access to on-duty officers and various means of communication for emergency purposes. Proximity to the desk officer allows the detainee to be closely monitored.

**ARRESTEE/DETAINEE GUIDELINES:**

1. Under no circumstances is an arrestee/detainee to be restrained to a fixed object located in an interview/interrogation or temporary detention area.
2. Male, female, and juvenile arrestee/detainees are to be placed into separate interview and/or temporary detention rooms.
3. Arrestee/detainees in interview and/or temporary detention rooms are to be afforded water and restroom breaks at least every two hours.
4. No arrestee/detainees are to be left unsupervised in interview or temporary detention areas for more than two hours. While conducting an interview/interrogation, if the investigating deputy needs to leave the arrestee/detainee, he or she must have another deputy standby with the arrestee/detainee.
5. To protect themselves and arrestees/detainees, all deputies are to be familiar with the locations of fire extinguishers and building exits. *See General Order 242 (Emergency Procedures).*

**Training for the responsibility and care of arrestee/detainees placed into interview rooms or temporary detention occurs:**

- During the detailed investigative portion of Field Training
- During the orientation training phase after promotion/transfer to a full time investigative function

An administrative review of temporary detention areas and procedures will be conducted by the Uniform Patrol Commander at least once every three years.

**Security in interview/interrogation and temporary detention areas:**

1. **Under no circumstances** will detainees be left locked in interview rooms unattended. Detainees being held in temporary detention will be visually observed at least every thirty minutes.
2. Deputies entering occupied interview/interrogation and temporary detention areas are to remain aware of weapon retention.
3. Only those deputies actively involved in the investigation are to be allowed access into occupied interview/interrogation and temporary detention areas.
4. Arrestee/detainees are to be thoroughly searched before they are placed into interview rooms or temporary detention areas.
5. Interview rooms and temporary detention areas are to be inspected for weapons and contraband before and after interviews, interrogations or temporary detention.
6. Detainees brought to CID offices for interview/interrogation are subject to electronic search.
7. If necessary, during emergency situations in interview/interrogation and temporary detention areas, deputies will use two-way radios or mobile phones to communicate, in lieu of duress alarms.

**FIELD INTERVIEWS AND INTERROGATIONS:**

Initial investigations may require field interviews at or near the incident scene. Follow-up investigations may also involve field interviews when canvassing an area for information. It is highly recommended that interrogation of suspects take place in a controlled setting, preferably at the Law Enforcement Center. If at all possible, a suspect should never be interrogated on his own grounds.

Field contacts of suspicious persons are to be recorded on Field Interrogation Cards (FI Cards). Completed FI Cards are forwarded to CID and entered into the central records computer system. Hard-copy FI Cards are maintained on file for a period of at least two (2) years.

**EYEWITNESS IDENTIFICATION:**

Eyewitness identification is a frequently used investigative tool. As such, officers will strictly adhere to the following procedures in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish reliable evidence that meets established legal procedure.

**SHOW UP** – The presentation of one suspect to an eyewitness in a short time frame following the commission of a crime.

Many courts have suppressed identification evidence based on the use of show-ups because of the inherent suggestiveness of the practice. Therefore, the use of show-ups should be avoided whenever possible in preference for the use of a photographic line-up. Show-ups are typically justified when other means of identification are either impractical or unavailable and no other evidence exists to hold the suspect. Show-ups are practical only when a crime is freshly committed and circumstances are such that the subject can reasonably be associated with the incident. When exigent circumstances require the use of show-ups, the following guidelines should be followed:

1. Show-ups should not be conducted when the suspect is in a cell, manacled (handcuffs are allowable) or dressed in jail clothing.
2. Show-ups should not be conducted with more than one witness present at a time. If the show-up is conducted separately for more than one witness, the witnesses should not be permitted to communicate before or after the show-up regarding the identification of the suspect.
3. The same suspect should not be presented to the same witness more than once.
4. Show-up suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
5. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be involved in the incident should be scrupulously avoided. The officer will not provide feedback to the witness regarding status of the suspect or the identification.
6. The officer conducting a show-up will instruct the witness that the subject being presented is not necessarily the suspect of the incident and that the witness is not compelled to either positively or negatively identify the subject as the suspect in the incident. The officer will ask the witness to state their level of confidence regarding the identification.
7. The witness should be transported to the location of the subject of the show-up. Under no circumstances should a suspect be transported to the scene of the incident.
8. The subject of the show-up should, if practical, be taken out of a vehicle and stood up for the show-up. The witness typically should be allowed to sit in a vehicle. Officers may use lights as necessary to illuminate the subject of the show-up and reduce the ability of the subject to see the witness.

9. The officer conducting the show-up will thoroughly document all aspects of the show-up to include where and how the suspect was initially located, where the show-up was conducted, description of the suspect and clothing, and the level of confidence expressed by the witness.

**LINE-UP** – A live display of the suspect along with other individuals whose physical characteristics resemble the suspect’s description or appearance at the time of the incident.

Line-ups are typically not utilized by deputies of the Anderson County Sheriff’s Office. If in the rare event a line-up is necessary, precautions must be taken to ensure that officers do not influence witnesses. Officers must be aware that suspects have a right to have counsel present during any live line-up identification procedure once they have been formally charged with a crime.

**PHOTOGRAPHIC IDENTIFICATION/LINE-UP** – A display of the suspect’s photo along with filler photographs of other individuals whose physical characteristics resemble the suspect’s description or appearance at the time of the incident.

Photographic identifications must use multiple photographs shown individually to a witness or simultaneously in an array.

Photographic line-ups should be created using six photographs. Filler photographs should be individuals who reasonably resemble the suspect in regard to age, height, weight and general appearance and be of the same sex and race. Photographs should not include, or should have covered, any identifying information on subjects. The line-up should be arranged with three photographs across the top and three across the bottom. Numbering of the photographs will be one through three across the top from left to right and four through six across the bottom from left to right.

The officer conducting the photo line-up will:

- Ask the witness if they recognize anyone;
- Ask the witness to state their level of confidence in the Identification; and
- Remind the witness not to discuss the identification procedure or results with other witnesses involved in the case.

**NOTE:** *To keep the presentation untainted, no information will be conveyed to the viewer regarding the suspect image.*

When conducting photographic line-ups the following procedures will be followed:

1. The officer will place the photo line-up face down in front of the witness. After explaining the procedure to the witness, ask the witness if they understand the procedure. Once the witness is ready ask him/her to turnover the photo line-up and view the photographs.

If the witness makes a positive identification, have the witness place their signature, date and time above the chosen photograph.

2. Officers will not make statements to influence the perception or judgment of the witness or witnesses. Officers will not provide feedback to the witness or witnesses regarding the subject or the identification.
3. The officer conducting the line-up will thoroughly document the identification, or lack of identification, made by the witness. Documentation will include the level of confidence in the identification expressed by the witness.
4. The officer conducting the photo line-up will write the case number, the officer's name and date on the back of the photograph and place the line up in Property and Evidence as evidence in the case. A photocopy should also be made and placed in the Records file.
5. If more than one witness is involved separate photo line-ups should be prepared. If practical the arrangements of the photographs should be changed. All other procedures for the line-up will be followed for additional witnesses. Precautions should be taken so witnesses do not have an opportunity to speak to one another unsupervised prior to the identification procedure.
6. Video and/or audio recording devices, when available, may be used to document the line-up procedure. If recording devices are used the witness should be advised that the line-up identification will be recorded prior to beginning the identification procedure.

**PHOTO IDENTIFICATION VERSUS PHOTO ARRAY** – Single photographic identification is generally regarded as improper for identifying an unknown suspect. This type of identification is only acceptable for confirming a known, or partially known, identity. For example, if a witness knows the identity of a subject but only knows a partial name, or a nickname, single photograph identification may be used to confirm identity.

A photographic array of multiple single photographs may be used for identification when a photographic line-up is impractical or justifiable reasons exist to substitute a photographic array for a photographic line-up.

If a photographic array is used, the same procedures for a photographic line-up will be followed with the exception that photographs should be shown to the witness one at a time. The same order should be used for each viewing and the officer should document the order shown. The photographic array should be preserved in the same manner as a photographic line-up. If photographic array photographs are to be viewed at one time they should be affixed to a piece of paper and utilized as a photographic line-up.

**BACKGROUND  
INVESTIGATIONS:**

Occasionally, it becomes necessary to conduct a background investigation on a criminal suspect or for the purpose of granting a license to certain businesses. The purpose for a background investigation is to be clearly

established at the outset. Background investigations for the purpose of building criminal intelligence files are governed by General Order 215. A background investigation for the purpose of licensing a business is normally assigned to the investigator who inspects such businesses.

**Sources of information for background investigations include:**

- Criminal history information, drivers' license files, and business license files
- Personal/business acquaintances
- Neighbors and other sources that may have a direct bearing on the type of information sought for the specific purpose of the investigation

Use of background information is governed by the purpose of the investigation. Any use must conform to the lawful purposes for which it was obtained. Investigative files containing background information are considered confidential and access is on a need-to-know basis only. General Order 112 controls purging of criminal background information.

**CAREER CRIMINALS:**

State statute §17-25-45 specifies offenses considered "Serious Offenses." If a person has three or more convictions for any or any combination of, the specified offenses, that person is considered a habitual offender for the purpose of this directive.

**IDENTIFICATION OF HABITUAL OFFENDERS** – It is the responsibility of the primary investigator in any of the serious offenses to determine the criminal history of any person arrested for any of the included offenses. The investigator is to make a diligent effort to examine the suspect's criminal history to determine if the offender qualifies for the habitual offender status.

**NOTIFICATION OF SOLICITOR'S OFFICE** – The case file for the current arrest is submitted to the appropriate supervisor for final review. The supervisor is to make any recommendations for further investigation and/or rewriting of any portion of the report. The final approved case file is forwarded to the Solicitor's Office, with an officer input form noting any officer recommendations. The solicitor may request that certain elements of the case be investigated further. Each case jacket includes a checklist of appropriate documentation and a criminal history for the Solicitor's review and recommendation regarding habitual offender status.

**CASE DISMISSALS:**

If a criminal case, initiated by the Sheriff's Office is dismissed because of alleged mishandling, a review of the entire investigation is to be conducted by the affected Division Commander or his designee. This is to be done in order to achieve improvements and accountability in case management and preparation.

Approved by:  
John S. Skipper, Jr., Sheriff