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Serious Crime Scenes, Threatened Officer Protection, and Guard Duty		



Cross Reference: 10.13

Rule of Conduct: 1.09

Training Supplement: 8-3, 11-9

I. Policy Statements

A. Responsibilities

1. An officer guarding a crime scene shall be primarily responsible for the security of the scene and the preservation of evidence.
2. An officer guarding a hospitalized prisoner shall be primarily responsible for the security of the prisoner and the protection of citizens in the area.
3. An officer guarding a threatened officer shall be primarily responsible for the protection of the threatened officer, his or her family, and citizens in the area.

B. General Requirements

1. A Crime Scene/Guard Log, form U-10.118, shall be completed and maintained at the scene of the guard anytime guard duty is established in connection with a prisoner, crime scene, or threatened officer.

Note: The Crime Scene/Guard Log should be given to the primary investigator or forwarded to the Headquarters Operations Unit Sergeant once the scene is released.

2. All persons regardless of rank or assignment shall log in before entering a secured area.
3. Officers normally will not be assigned to guard duty for more than four consecutive hours.
4. Officers shall not take breaks while on guard duty unless relief is provided by a supervisor.
5. Officers shall not terminate guard duty without obtaining authorization from a supervisor or the primary investigator.
6. Sworn personnel terminating guard duty shall notify the Headquarters Operations Unit Sergeant and the **Emergency Communications Center (ECC)**.

C. Guard Duty

1. The Headquarters Operations Unit Sergeant shall ensure hospital security is notified when a hospital guard is established or terminated.
2. The Headquarters Operations Unit Sergeant shall ensure sworn personnel are assigned to guard duty as needed.

3. Reassigning a Guard Duty

- a. If an officer cannot report for an assigned guard duty, the precinct sergeant shall assign another officer from that precinct to handle the guard duty.
 - b. If all officers on the precinct are busy, the sergeant shall coordinate with other precinct sergeants to arrange for an officer on that zone to cover the guard duty.
 - c. If all officers on the zone are busy, a lieutenant or higher shall contact the Headquarters Operations Unit to arrange for an officer on a different zone to cover the guard duty.
4. A lieutenant or higher shall contact the Headquarters Operations Unit to establish a Citywide guard duty.

D. Hospitalized Prisoners

1. The Division is responsible for the medical expenses of all hospitalized prisoners who are in its custody and for whom there is no other source of payment. In order to curtail unnecessary expenses, the following policies have been established.
 - a. ***An individual arrested for a non-violent misdemeanor*** requiring hospitalization should be issued a summons if permitted by law and Division policy.
 - b. When circumstances warrant, a direct indictment should be sought for a suspected felon requiring hospitalization.
 - c. The decision to establish a guard duty for an individual requiring hospitalization shall be made by a sworn Division supervisor.
2. Sworn personnel shall not allow anyone to visit a hospitalized prisoner unless the prisoner is near death or the prisoner has clearly requested to speak to an attorney. This should be determined by investigative unit personnel. In the event an attorney has been authorized, the officer shall require identification from the prisoner's attorney that shows the individual is a practicing attorney.
3. Immediate family may be permitted to visit the prisoner once sworn personnel verify with the medical staff that the prisoner is in a near death condition. Immediate family is defined as the prisoner's spouse, parents, grandparents, children, or siblings whether natural, adoptive, or related by marriage/remarriage. Persons other than immediate family may be admitted with a supervisor's approval.

E. Protection for Threatened Officers

1. An incident report shall be completed whenever a credible threat against a police officer or an officer's family is received.
2. Threatened officers should notify their chain of command and forward a copy of the incident report and a letter of information directly to the Homicide Section Lieutenant.

3. Credible threats of violence against police officers or their families shall not go unheeded. If necessary, the officer or the officer's family shall receive police protection in order to ensure their well being, as determined by a commander, deputy chief, **assistant chief**, or the Chief.
4. This policy applies only if the threat is a result of a police-related action or otherwise due to the officer's position as a member of the Division. All other threats shall be handled the same as for any citizen.

II. Procedures

A. Serious Crime Scenes

1. First Officer(s) at the scene
 - a. **Render medical aid, consistent with training and available equipment, and summon Emergency Medical Services (EMS) for individuals injured, unconscious, or in medical distress as soon as it is reasonable and safe to do so.**
 - b. Apprehend any suspects if possible.
 - (1) Allow suspects to talk.
 - (a) Make note(s) of their statements.
 - (b) Do not question potential felony suspects about the crime.
 - (c) Do not advise potential felony suspects of their constitutional rights unless directed by the primary investigator.
 - c. Take precautions to preserve physical evidence that may be on the suspects' persons by minimizing their movements and activities. For example, do not allow suspects to wash their hands or brush off their clothing unless authorized by the primary investigator.
 - d. Establish the identity of potential witnesses and retain them for investigative personnel.

Note: Officers are authorized to detain a witness for a reasonable length of time at a crime scene in order to be interviewed by a detective. In the event the witness is uncooperative and refuses to remain at the scene until a detective arrives, officers should at least verify the person's identity and address for follow-up.

- (1) Isolate witnesses from one another.
 - (2) Note any statements made by witnesses concerning the incident.
- e. Seal the scene at the perimeter and protect it from destruction, mutilation, concealment, or contamination.
 - (1) Enter the crime scene without a warrant only to search for victims or suspects. During this limited search, evidence **should not** be seized unless it is likely to be tampered with or destroyed or unless it presents an immediate risk of physical harm. A search with a warrant is the preferred course of action.

- (2) Avoid contaminating evidence by touching or moving any items, including firearms. Do not collect any evidence before it is photographed or processed, except to prevent its loss or destruction or to avoid an imminent risk of physical harm.
 - f. Establish a single point of entry into the scene.
 - (1) Direct anyone requesting to enter the scene to the established entry point.
 - (2) Do not allow unauthorized personnel to enter the scene, regardless of their rank or position.
 - (3) Do not reenter the scene unless directed by the primary investigator.
 - g. Request that Communications personnel notify a Patrol supervisor.
2. Patrol Supervisor
- a. Assign an officer to provide scene security.
 - b. Notify investigative personnel when necessary.
 - c. Transfer control of the scene to investigative personnel upon their arrival.
 - d. Cause an incident report to be taken unless it will be taken by investigative personnel.
 - e. If the scene requires extended guard duty, notify the Headquarters Operations Unit Sergeant.
3. Scene Security Officer
- a. Abide by the applicable guidelines for first responding officers.
 - b. Maintain the Crime Scene/Guard Log.
 - (1) Sign the Crime Scene/Guard Log at the beginning of the guard assignment.
 - (2) Complete the "Crime Scene Checklist" on the reverse side of the Crime Scene/Guard Log as information becomes available.
 - (3) Report and log any unusual occurrences and notify the primary investigator.
 - (4) Sign the Crime Scene/Guard Log at the end of your guard assignment and leave it with your relief or with the primary investigator if the scene is released.
 - c. Remain at the established point of entry until relieved.
4. Investigative Personnel
- a. Take control of the crime scene.
 - b. Notify specialized personnel as needed.
 - c. Take an incident report when required.
 - d. Conduct the follow-up investigation.

B. Hospitalized Prisoner

1. Guarding Officer(s)

- a. Shackle hospitalized prisoners by the wrist or ankle to the bed, except when prohibited for medical reasons.
- b. Remain with the prisoner at all times, except:
 - (1) When exigent circumstances exist.
 - (2) When the prisoner's attorney visits; take a position in which to observe the prisoner without overhearing the conversation.
- c. Cause the telephone/cell phone to be inoperable or removed.
- d. Sign the acknowledgment form provided by the hospital, indicating that you have received an emergency instructions packet, if applicable.
- e. Return the completed form to a hospital employee, and retain the emergency instruction packet and provide it to the relieving officer, if applicable.
- f. Initiate a Crime Scene/Guard Log if you are the first officer to guard the prisoner.
- g. Maintain the Crime Scene/Guard Log.
 - (1) Record your name, badge number, assignment, and times on and off guard duty.
 - (2) Record all visitors.
 - (3) Do not log hospital personnel performing their required duties. If in doubt, contact a hospital supervisor to verify the identity or authority of persons claiming to be hospital personnel.
 - (4) Report and log all unusual occurrences for future reference.
- h. Deny admittance for just cause to any person acting in a disorderly manner or who appears to be under the influence of alcohol or drugs.
- i. Search all visitors
 - (1) Deny admittance to any visitor refusing a search and record this information on the Crime Scene/Guard Log.
 - (2) If the visitor to be searched is not of the same gender as the guarding officer, delay admittance until an officer of the same gender can respond to conduct the search.
 - (3) Inspect all items or require that the visitor leave them at the door.
- j. Allow only one visitor at a time in the room with the prisoner.
- k. When the guard duty is terminated, forward the Crime Scene/Guard Logs and Visitation Authorization forms to the investigating officer or to the Headquarters Operations Unit Sergeant if there is no investigating officer.
- l. Once the guard duty is terminated, advise the ER security desk of the terminated guard duty, and return the emergency instructions to the security desk personnel.

2. Investigative Personnel
 - a. Advise the Headquarters Operations Unit Sergeant of any visitation prohibitions.
 - b. Retain the Crime Scene/Guard Log in the investigative package once the guard duty has been terminated.
- C. Hospitalized Prisoner with a Known or Suspected Infectious Disease
 1. Avoid entering the room as much as possible.
 2. When it becomes necessary to enter the room, don **personal protective equipment (PPE) as recommended by hospital personnel.**
 3. Follow any specific precautions and procedures posted in the room or directed by hospital personnel.
 4. Notify the Industrial Hygienist if entry is made into the room in order to arrange for any necessary precautionary testing.
 5. **Refer to the “Infectious Disease Precautions” and “PPE and Riot Gear” training supplements.**
- D. Threatened Officer Protection
 1. Headquarters Operations Unit Sergeant

Depending upon the circumstances of the threat, convey instructions to the guarding officer(s) as to the extent of their duties (for example, to watch only for suspicious activity or to stop and identify all visitors).
 2. Guarding Officer(s)
 - a. Initiate a Crime Scene/Guard Log if you are the first officer to assume guard duty.
 - b. Maintain the Crime Scene/Guard Log.
 - (1) Record your name, badge number, assignment, and times on and off guard duty.
 - (2) Log all visitors, if necessary, due to the circumstances of the threat.
 - (3) Report and log all unusual occurrences or suspicious activity.
 - c. Forward the Crime Scene/Guard Log to the Homicide Section Lieutenant when the guard duty is terminated.
 3. Homicide Section Lieutenant

Ensure the Crime Scene/Guard Logs are retained in the investigative package once the guard duty has been terminated.