

Investigation, Scene Processing and Prosecution

600.1 UNIFORM PERSONNEL RESPONSIBILITIES

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Uniform personnel responsibilities include:

- (a) Uniformed patrol officers shall be responsible for conducting preliminary investigations, except in those instances in which a supervisor determines that it would be advantageous to have a detective conduct the preliminary investigation.
- (b) Proceed to the incident scene immediately but cautiously, being alert for possible suspect(s) or suspect vehicle(s), and noting any and all pertinent conditions. (lighting, open doors, etc.).
- (c) Determine if an offense has actually occurred, and if so, the exact nature of that offense. Locate and identify witnesses.
- (d) Transmit to other officers, information of immediate relevance directed at intercepting the suspect or suspect vehicle.
- (e) Arrange to obtain all necessary assistance and make appropriate notifications.
- (f) Aid the victim(s).
- (g) Secure the scene to protect physical evidence.
- (h) Interview the victim and witnesses.
- (i) Obtain and record a complete description of the crime (property stolen, serial numbers, make, model, colors, etc.) or damaged (make, model, serial numbers, colors, value, weapons, locations of apparent physical evidence, etc.).
- (j) Expend the amount of time necessary to conduct a thorough preliminary investigation, bounded by the character of inquiry appropriate in each case and by supervisory approval. Focus investigative efforts on the search for solvability factors as outlined in this order.
- (k) Notify the appropriate specialized investigation unit (e.g. CID, SID, APU or YES) in all felony or unusual incidents, dead bodies and sex crimes immediately.
- (l) Collect or arrange for the collection and preservation of all physical evidence.
- (m) Whenever practical, have the victim complete a supporting deposition or affidavit of prosecution.
- (n) Complete a neighborhood canvass, except in cases where a canvass would not be useful (e.g. aggravated harassment). When useful information is obtained through a canvass, include it in the incident, supplement report and/or an affidavit.
- (o) Complete a police incident report, and record the Modus Operandi.
- (p) Interrogate suspect(s) in a manner that ensures that constitutional rights are preserved.

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- (q) Effect the arrest of the offender and prepare all necessary reports and documents to initiate criminal prosecution.
- (r) Enter the status of the investigation in the appropriate location on the incident report.
- (s) Common sense and good judgment are essential in determining the amount of time and the character of specific preliminary investigations. The preliminary investigation process must be tailored to the gravity of the incident and circumstances involved (e.g. homicide, assault, and forcible rape preliminary investigations will differ in character from lesser crimes).
- (t) Patrol officers will be responsible for conducting follow up investigations on all incidents assigned to them by a supervisor or superior officer.
- (u) Advise the victim of the current case status (explaining the meaning of that status) with an explanation of how to report additional information.

600.2 INVESTIGATIVE SOLVABILITY FACTORS

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For the purpose of this order, a solvability factor will be deemed to be present if any of the following factors are apparent at the end of the preliminary investigation process. It is incumbent on the original investigating officer, after completing the tasks described in the Uniform Personnel Responsibilities procedure, to carefully document all investigative efforts keeping in mind those particular leads upon which further investigative efforts can be based. Those solvability factors, or leads, are as follows:

- (a) The suspect or accomplice has been named (e.g. full names, partial names, nicknames, or aliases).
- (b) A full description or a distinctive partial description of the suspect or accomplice is available.
- (c) Significant data is available about the suspect(s) or accomplice(s), such as his address or locations frequented.
- (d) A victim or witness could possibly identify the suspect or accomplice.
- (e) Any property associated with the crime is traceable. However, a case may be suspended after teletype entry if no further investigative activity can be performed based upon this one solvability factor.
- (f) The suspect(s) or accomplice's vehicle license number is known completely or sufficiently known to be traceable.
- (g) A good description of the vehicle is known or a distinctive description of part of the vehicle is known and traceable.
- (h) A suspect's fingerprint (s) is obtained.
- (i) Significant physical evidence (either traceable or uniquely distinctive) is present.
- (j) An unusual, distinctive, or significant modus operandi is identified.
- (k) There was an opportunity for someone other than the suspect(s) to commit the crime.

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- (l) Any other fact or circumstance is present indicating that the crime may be solved with a reasonable amount of investigative effort (e.g., the crime may arouse significant public interest giving rise to the possibility of the public supplying useful information to the case).

600.3 PRELIMINARY INVESTIGATION REPORT REVIEW

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Unless otherwise directed preliminary investigation reports are due immediately and must be submitted to a supervisor prior to the end of the officer's tour of duty.

Officers shall assign to each preliminary investigation report an administrative case status.

Supervisors shall review preliminary investigation reports as soon as practical for the purpose of ensuring that it contains all the qualities of a good report.

Supervisors shall screen each preliminary investigation report for accuracy and completeness of the following:

- (a) Solvability factors.
- (b) Administrative case status.
- (c) Follow up status.
- (d) Correct report distribution.

The criteria for determining the need for follow up investigation shall be the presence or absence of certain solvability factors.

Supervisors shall screen all non-felony investigations to determine the need for follow up. Felony cases not closed or unfounded during the preliminary investigation shall be forwarded to the appropriate specialized investigative division to be screened by an Investigations Bureau supervisor.

Investigations Bureau supervisors shall assign cases to detectives for follow up based on the presence or absence of solvability factors and that commensurate to the seriousness of the offense. Supervisors shall ensure that assigned cases are resolved with a reasonable amount of resources being expended. Investigation supervisors may authorize a follow-up investigation despite the absence of solvability factors based upon any of the following concerns:

- (a) Public safety.
- (b) Relatedness to other incidents.
- (c) Relatedness or association of persons or things to other incidents.
- (d) Impact on the community.
- (e) Seriousness.

600.4 INVESTIGATIVE GUIDELINES

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All criminal investigations shall be conducted in such a manner as to protect the constitutional rights of all persons.

- (a) In accordance with their constitutional rights and applicable case law, a person must be informed of his/her rights (Miranda rule), when placed under arrest and an officer wishes to question that person and the officer suspects that the person being questioned committed an offense. After informing the person of his/her rights, officers shall ask the person if he/she understand these rights and, having these rights in mind, ask the person if he/she wish to answer questions. If both questions are answered in the affirmative, the person has waived his/her rights and questioning may proceed.
- (b) If during the interrogation the person indicates that they want to have a lawyer present, officers shall terminate the interrogation.
- (c) If the person desires, officers shall permit the person the opportunity to contact a lawyer.
- (d) After an accusatory instrument is filed a defendant cannot waive their right to counsel. Defendants shall be arraigned without unnecessary delay in accordance with the Criminal Procedure Law.
- (e) All news releases regarding investigations or arrests shall be issued in accordance with applicable Department policies and procedures so as to avoid pretrial publicity tending to prejudice a fair trial.

Officers seeking to gather information from people must recognize individual differences and limitations and be aware of any personal motives which may be involved. Officers must use personal ability, training, timing, setting, preparation, background, and the elimination of barriers to successfully extract information from persons through one of the following techniques:

- (a) **Interviewing:** The process by which an officer seeks, obtains, and evaluates information given to him by persons who have personal knowledge of the events or circumstances of a matter of police interest.
- (b) **Interrogation:** The process by which an officer endeavors to obtain information about a case from an individual who is a suspect and is unwilling to provide that information.

A polygraph may be used for the detection of deception in criminal investigations. Persons authorized to direct polygraph investigations, and the conditions under which they may be used, shall be in accordance with the Department's policy governing polygraphs.

Physical evidence, shall be preserved, collected, analyzed, and stored in such a manner to meet all constitutional requirements for admissibility in court and must be consistent with all judicial requirements and Department policies and procedures.

Surveillance operations may be employed as an investigative technique.

- (a) Visual surveillance operations (the physical observation of persons, places, or things) shall be approved by a supervisory officer.
- (b) Electronic surveillance (e.g. wiretapping, pen registers, mechanical overhearing of conversations, video taping, photographs, etc.) shall be conducted only when

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authorized by a Division Commander and conducted in conformance with all applicable laws and Department policy and procedures.

Raids, a planned sudden invasion of a place or premises by a group of police officers, must be authorized by a supervisor and conducted in conformance with applicable Department policy and procedures.

Stakeout operations shall be approved by a supervisory officer and conducted in conformance with applicable Department policy and procedures.

Search warrants must be authorized by a supervisor and conducted in conformance with applicable Department policy and procedures. Officers must familiarize themselves with the legal principles and Department policy concerning searches. Officers must abide by the spirit and letter of the law concerning searches.

- (a) Prior to the execution of a planned Search/Arrest Warrant, members will be required to fill out a "Risk Analysis/Threat Assessment Form", Form # 16.16.
 1. If based on the circumstances, as detailed in the "Risk Analysis/Threat Assessment Form", specialized Unit(s) (e.g. SWAT, Hazardous Devices Unit etc.) are requested and/or necessary, notifications will be made through the Chain of Command for the activation of the requested/necessary specialized Units.
 2. If the specialized Unit(s) are activated, the search/arrest warrant will not be executed until the specialized Unit(s) have arrived on scene, unless exigent circumstances exist, and any delay in the execution of the search/arrest warrant could result in a loss of life, property, and/or evidence.

Informants may be employed as an investigative tool in accordance with applicable Department policy and procedures pertaining to use of informants.

Pre-trial identification procedures shall be used to give witnesses the opportunity to possibly identify a suspect as the person who committed an offense. Photographic identification, line-up identification, and show up identification shall be used when and where appropriate and conducted in conformance with all applicable laws and Department policy and procedures.

Information gathered during an investigation must be accurately reported on appropriate Departmental forms. All information pertinent to a case must be documented since reporting can effectively assist in the apprehension and prosecution of the criminal, and the recall of events at later judicial proceedings.

600.5 INVESTIGATION REPORT ASSIGNED STATUS

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One of the following administrative report status designators shall be used in determining the status of cases assigned for follow up investigation:

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- (a) OPEN (O) - The case is assigned to an officer and investigative efforts are active, or the case has been forwarded for review (TOT) by an Investigations Bureau supervisor for follow up investigation.
 - 1. CLOSED PENDING ADDITIONAL INFORMATION (C/P) – is utilized for Investigations Bureau case management purposes. Technically the case is OPEN but all available leads have been exhausted and the case has not been brought to a successful conclusion. A case may be closed pending, due to the absence of further leads or solvability factors. Investigative efforts may resume when new or additional information arises.
- (b) CLOSED - The investigation has been concluded and the case has been cleared no prosecution, exceptionally or by arrest as follows:
 - 1. CLOSED - NO PROSECUTION (C/NP): The investigation has definitely established the identity of the offender, and there is enough information to support an arrest, but the victim refuses to cooperate in the investigation or prosecution. This will also include cases where the identity of the offender is unknown but the victim has indicated an unwillingness to cooperate in the investigation. This also includes the handling of a juvenile offender either orally or by written notice to the parents, or diversion or adjustment by the Family Services Division, when no referral is made to family court.
 - 2. CLOSED – EXCEPTIONALLY (C/E): The investigation has established the identity of the offender, and there is enough information to support an arrest, and the exact location of the offender is known, and one of the following reasons prevents the Department from arresting the offender:
 - (a) Offender commits suicide.
 - (b) Offender killed by police or citizen.
 - (c) Double murder (two persons kill each other).
 - (d) Deathbed confession (offender dies after making a deathbed confession).
 - (e) Offender is charged, but cannot be arrested due to being held by another jurisdiction that refuses to surrender him.
 - (f) Extradition is denied.
 - 3. CLOSED BY ARREST (C/A): The offender is arrested, charged with the commission of an offense, and turned over to the court for prosecution.
- (c) UNFOUNDED (U) - The investigation determines and proves that the offense is false or baseless, no criminal offense occurred, nor was attempted, or the alleged crime is determined through investigation to be a civil and not a criminal matter.

600.6 FIRST OFFICER AT MAJOR CRIME SCENE RESPONSIBILITIES

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The first officer at a major crime scene has the following responsibilities:

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- (a) The first officer to arrive at a major crime scene shall have initial responsibility for maintaining the integrity of that scene. This responsibility shall continue until the first officer is:
 - 1. Relieved by an evidence technician.
 - 2. Relieved by a supervisor.
- (b) Upon arrival at a major crime scene, the first responding officer shall:
 - 1. Notify a supervisor and request any additional units necessary to secure the scene.
 - 2. Assess the size of the scene, and secure it by using yellow police line tape.
 - 3. Make all necessary notifications to a Patrol Supervisor and CID.
 - 4. Call for an evidence technician. The E.T. will assist in properly securing the scene, and may begin photographing the exterior of the scene prior to the arrival of Crime Scene Unit personnel, if applicable. Except in exigent circumstances (such as possible destruction of evidence due to inclement weather) the E.T. will not begin processing the scene until the arrival of Crime Scene Unit personnel.
- (c) The first officer to arrive will ensure that the scene is protected from the intrusion of unnecessary police and civilian personnel. The officer should select a route into the scene that protects the evidence and minimizes crime scene contamination. All personnel entering the scene should do so only via this selected route. The number of personnel entering the scene shall be limited to the smallest number essential for conducting operations.
- (d) When necessary, the officer shall request that Emergency Medical Service or Syracuse Fire Department personnel respond to the scene to assist with injured persons. Officers should protect the scene to the highest degree possible without interfering with EMS activities. The officer should note objects that are moved or handled during EMS or SFD operations.
- (e) The first officer to arrive at the scene should begin a chronological log of their activities and observations at the scene. This log should include:
 - 1. Names and times of notifications.
 - 2. Names and times of persons entering and leaving the crime scene.
 - 3. Times of significant events.
 - 4. Weather, lighting, and environmental conditions.
 - 5. Condition of artificial lighting and appliances. Officers should refrain from turning lights and/or appliances on/off. If circumstances dictate otherwise, officers should note the change in their log and police report.
 - 6. Unusual odors such as natural gas, perfume, gasoline, etc. Such odors are often extremely volatile, and may dissipate.
 - 7. Condition and position of any dead body, other persons on scene, objects, vehicles, doors & windows (open, closed, locked, unlocked, etc.).

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8. Anything else that appears to be out of place, unusual, or abnormal.
- (f) The first officer(s) to arrive at the scene should conduct a preliminary investigation in accordance with: "Preliminary Investigations," As set forth in the Preliminary Investigation section of the Investigation, Scene Processing and Prosecution policy. As part of this investigation, the officer should:
1. Record the names, addresses, and telephone numbers of all persons known to have entered the crime scene.
 2. Conduct preliminary interviews to establish the basic facts.
 3. Keep witnesses separated whenever possible, and instruct the witnesses not to speak about the case with non-police persons.
 4. Refrain from discussing details about the case with bystanders.
 5. Broadcast a Point of Information concerning any suspect or witness information obtained through interviews.
 6. Protect any evidence, which is in danger of being destroyed by the elements (i.e.: rain or snow).
- (g) All officers shall document their actions at a major crime scene in an incident report or a supplemental report. The report should include all pertinent information that has been entered into the officer's crime scene log and/or field notes. The finalized version of the report will be reviewed and approved by a supervisor. Once approved, the report will be delivered to CID, where it will be placed into C.I.D.'s major case File.
- (h) Officers shall photocopy their case notes and submit them to the Records Division under the appropriate DR# prior to returning to service, to ensure compliance with CPL 245. Officers should be aware that these notes constitute "Rosario Materials." Failure to supply these notes could endanger the successful prosecution of the case.

600.7 PROCESSING THE MAJOR CRIME SCENE

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Upon arrival, the Commanding Officer of the Crime Scene Unit, or his/her designee shall have sole authority as to who shall remain upon or enter the major crime scene. The Patrol Division shall provide sufficient manpower to maintain the integrity of the perimeter of the scene. Sufficient manpower shall secure a scene until it is released. No person other than authorized personnel shall enter the scene without the prior approval of the Crime Scene Unit personnel in charge of the scene.

In circumstances that require the Crime Scene Unit to leave the scene, and return later, personnel responsible for the scene shall secure, seal, and take exit photos of the scene. The Patrol Division officer(s) on scene shall ensure the integrity of the scene until properly relieved.

600.8 NON-MAJOR CRIME SCENES

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Non-major crime scenes include normal burglaries, robberies, simple assaults, etc. In such cases, the investigating officer shall have primary responsibility for preserving physical evidence.

- (a) If evidence is to be collected, whenever possible, the officer should ensure that it is photographed by an evidence technician or supervisor.
- (b) In cases where physical evidence requires further processing, the officer will call an evidence technician to the scene.
 - 1. The evidence technician shall process the scene and recover the evidence in accordance with established forensic procedures.
 - 2. Upon the completion of processing the scene, the evidence technician shall complete a Crime Scene Investigation Report, Form 14.06 (Code 13).
 - 3. If evidence does not require further processing, the investigating officer shall personally collect the evidence, turn it in to the Property Division and document it in his/her incident report.

When more than one evidence technician is assigned to a crime scene, the first responding evidence technician shall have the primary responsibility of processing the scene. When processing is finished, the E.T. will complete a Crime Scene Investigation Report, Form 14.06 (Code 13). The report should contain the following information:

- (a) The name under which the case is filed.
- (b) Date of the report.
- (c) DR number.
- (d) Date and time that the responding evidence technician was requested (if applicable).
- (e) Name of the investigating officer (when appropriate).
- (f) Date and time that the evidence technician arrived at the scene.
- (g) Location of the scene.
- (h) The name of the victim and suspect, if known.
- (i) A description of the action taken, to include a record of photographs and measurements taken a list of physical evidence recovered, and the disposition of the evidence.

An evidence technician will always be called to a scene that involves shots fired or sexual assault. Evidence from such scenes can be easily damaged; an E.T.'s specialized training will help ensure that the evidence is properly collected and submitted for testing. If the investigating officer has any question as to whether an E.T. should be called to a scene, they shall consult with a supervisor. In no case shall an officer neglect to call an E.T. to a scene because the officer feels the scene has been "contaminated" by outside forces (i.e.: weather conditions, victims cleaning the scene or handling evidence, etc.). Only an evidence technician, supervisor, or superior officer is authorized to make such a decision.

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600.9 GENERAL PROCEDURES FOR CRIME SCENE PHOTOGRAPHY

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Crime scene photography is used by qualified personnel, to permanently document evidence and other details at a scene, for future reference. Crime scene photography generally requires the ability to:

- (a) Accurately represent the scene at the time the photographs were taken.
- (b) Be relevant and material to the point in issue.
- (c) Not appeal to the emotions or tend to prejudice a jury.
- (d) Accurately represent the details and colors at the scene.
- (e) Deal with varying lighting and physical conditions.
- (f) Get close-up and wide-angle images with accurate spatial relationships.

Each crime scene that is encountered will be different. It will be up to the experience of the crime scene photographer to accurately capture that scene so that others can experience the scene through his/her photographs. Crime scenes should be photographed in a systematic manner to:

- (a) Encompass the entire scene from all angles.
- (b) Capture views from the victims' and/or witnesses' perspective, wherever practical.
- (c) Depict the location within a scene, and the condition of evidence, prior to recovery. Sometimes, due to the location of the evidence, this cannot be accomplished.

When taking photographs or videotape, the photographer should, as part of the photographic record, include some kind of identifier within that image media, (case number, location, date/time etc.). Videotape will not be used as a substitute for still photographs.

Depending on the nature of the crime or incident, conditions at the scene may dictate the selection and use of different equipment and techniques. A variety of cameras may be needed to achieve suitable results. The types of cameras and image capturing media used by the Syracuse Police Department are as follows:

- (a) Silver based film cameras with interchangeable lenses.
- (b) Digital still image cameras that have internal memory, removable memory cards or removable CD-R disks.
- (c) Video Imaging Cameras (analog or digital).
- (d) Other specialty photographic equipment as necessary.

Photographs are evidence, whether they are in the form of exposed film, processed negatives, instant photographs, or digital images on electronic media. The principal requirements to admit a photograph (digital, film based, or otherwise) into evidence are those photographs' relevance and authentication. The person testifying about the photograph, so that it may be admitted into evidence (in court or in deposition) must be prepared to offer testimony that the photograph is a "true and accurate representation" of the scene. This usually means that someone must testify that the photograph accurately portrays the scene at the time the photograph was taken. For

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authentication purposes, personnel who captured the original image or were present at the time that it was captured can verify that the image is a true and accurate representation. They must be prepared to offer testimony such as:

- (a) The date and time photographs were taken.
- (b) The type of camera used.
- (c) The type of film used.
- (d) Aperture settings and shutter speeds.
- (e) The type of lighting used.
- (f) A description of the scene photographed.
- (g) Camera location and the direction that the camera was facing at the time the photograph was taken.
- (h) The steps taken in transporting and storing of the film.

600.10 GENERAL PROCEDURES FOR IMAGE MEDIA & FILM STORAGE

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Silver-Halide-Based film - When the photographer is done taking photographs, he/she should:

- (a) Secure the film container(s) in a Syracuse Police Department film envelope (Form 14.09).
- (b) After the film is secured in the envelope, it is to be placed in the film lock box located at the Patrol East offices or the Public Safety Building Patrol office.
- (c) The photographer should ensure that all pertinent information is completed on the film envelope, such as:
 - 1. The date/time the photographs were taken.
 - 2. The complaint number.
 - 3. The type of incident.
 - 4. Victim and suspect name(s).
 - 5. The location where the photographs were taken.
 - 6. The number of rolls or digital media used.
 - 7. Film size.
 - 8. Media or film type.
 - 9. The photographer's name and IBM number.
- (d) The film envelopes will be picked up on a regular basis, by a member of the Crime Scene Unit, assigned a record number and secured until the film is processed. Once the film is processed, negatives will be filed according to D.R. number, within the film files of the Syracuse Police Department. The negatives of the silver-based film will be considered ORIGINALS. Any photographs that are produced will be developed from the original negatives.

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Digital Camera Images - The following procedure should be used when digital camera images are saved to internal memory or removable media cards:

- (a) The images are transferred to a computer file. This computer file should have the DR Number as its file name.
- (b) Sub-folders can be made within the main folder when multiple photographers, and/or dates that the photographs were taken exist.
- (c) Once the images are copied into the computer file, the entire file should be copied to a CD-R.
- (d) The CD-R will be marked with an identifier (DR Number etc.) and placed into a film envelope (Form 14.09).
- (e) All pertinent information on the envelope should be completed, such as:
 1. The date/time the photographs were taken.
 2. The complaint number.
 3. The type of incident.
 4. Victim and suspect name(s).
 5. The location where the photographs were taken.
 6. The number of rolls or digital media used.
 7. Film size.
 8. Media or film type.
 9. The photographer's name and IBM number.
- (f) After the CD-R is secured in the film envelope (Form 14.09), it is to be placed in the film lock box located at the Patrol East offices or the Public Safety Building Patrol office. The film envelopes will be picked up on a regular basis, by a member of the Crime Scene Unit, assigned a record number and filed according to D.R. number within the film files of the Syracuse Police Department.
- (g) Digital camera images that are written to a CD-R should be:
 1. Finalized before removing the disk from the camera.
 2. Marked on its' exterior with a DR Number.
 3. Secured in a Syracuse Police Department film envelope (Form 14.09). All pertinent information is to be completed on the envelope such as:
 - (a) The date/time the photographs are taken.
 - (b) The complaint number.
 - (c) The type of incident.
 - (d) Victim and suspect name(s).
 - (e) The location where the photographs were taken.
 - (f) The number of rolls or digital media used.

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- (g) Film size.
 - (h) Media or film type.
 - (i) The photographer's name and IBM number.
- (h) After the finalized CD-R is secured in the film envelope, it is to be placed in the film lock box located at the Patrol East offices or the Public Safety Building Patrol office. The film envelopes will be picked up on a regular basis, by a member of the Crime Scene Unit, assigned a Record Number and filed according to D.R. number within the film files of the Syracuse Police Department.
- (i) This finalized CD-R will be considered an ORIGINAL. If a request is made to view the images, a working copy will be made and that copy can be viewed.

Video Tape Storage - Videotape can be used as a method of image capture for photographing scenes or incidents. When videotaping is completed, the photographer should:

- (a) Remove the videotape from the camera.
- (b) Activate the safety tab on the cassette to avoid recording over the original image.
- (c) Mark the videotape case with a DR Number for identification at a later date.
- (d) Secure the videotape(s) in a Syracuse Police Department film envelope (Form 14.09) and ensure that all pertinent information is completed on the envelope, such as:
 - 1. The date/time the videotapes were taken.
 - 2. The complaint number.
 - 3. The type of incident.
 - 4. Victim and suspect name(s).
 - 5. The location where the videotapes were taken.
 - 6. The number of rolls or digital media used.
 - 7. Film size.
 - 8. Media or film type.
 - 9. The photographer's name and IBM number.

When the videotape is secured within the film envelope (Form 14.09) it is to be placed in the film lock box located at the Patrol East offices or the Public Safety Building Patrol office. The film envelopes will be picked up on a regular basis by a member of the Crime Scene Unit, assigned a record number and filed according to D.R. number within the film files of the Syracuse Police Department.

- (a) This videotape will be considered an ORIGINAL. If a request is made to view the videotape, a working copy will be made and that copy can be viewed.

600.11 MIRANDA WARNING CARD

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A Miranda Warning Card must be carried by all Sworn Officers when on duty.

The Miranda Warning Card is to be used by Sworn Officers to inform all persons in police custody of their rights before interrogation begins.

The card is approximately 3-1/4" x 2-1/2". It was developed to provide personnel with immediate availability of the exact Miranda warning format and content, which must be given to persons in custody prior to interrogation.

600.12 AUDIO/VIDEO RECORDINGS

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The recorded interrogation should be conducted by police personnel.

Should the need arise for the individual or law enforcement personnel to leave the interrogation room, the recording device should continue without interruption.

All video recordings created within the electronic recording system, are date and time stamped when recording takes place.

All persons participating in the interrogation should be displayed as prominently as possible within the camera view while recording is occurring.

The initial stage of the video-recorded interrogation should include an acknowledgement by the defendant that he/she has been advised of his/her Constitutional Rights.

After the video-recording is concluded, the investigating officer will be responsible for making an original DVD and a DVD copy for the Crime Scene Unit.

- (a) The original DVD should be sealed, secured and submitted to the Property Division as evidence utilizing the procedures set forth in the Property Division policy.
- (b) When recordings occur within the interview room of the Criminal Investigations Division, the DVD being turned into the Property Division will be considered the "original." The recording will not be retained within the electronic recording system after it has reached its available storage capacity.
- (c) The DVD copy for the Crime Scene Unit will be transferred to the Crime Scene Unit in accordance with the procedures set forth in the Property Division policy. No other copies of the interrogation are authorized to be made unless directed by the Chief of Police or his/her designee.