

**DIRECTIVE 42.1  
CRIMINAL INVESTIGATION  
ADMINISTRATION**

<b>Issue Date: 02/12/2025</b>	<b>By Order of Chief of Police</b>
<b>Rescinds: (Issue 03/21/2023)</b>	<b>CALEA Standards</b>
<b>Pages: 7</b>	<b>Referenced: 42.1.1; 42.1.2; 42.1.3; 42.1.4; 42.1.5 &amp; 42.1.6</b>
	<b>Review: February 2026</b>

**This directive consists of the following sections:**

- 42.1.1 On-Call Schedule**
- 42.1.2 Case Screening System**
- 42.1.3 Case File Management**
- 42.1.4 Accountability, Preliminary/Follow-Up Investigations**
- 42.1.5 Habitual / Serious Offenders**
- 42.1.6 Exculpatory Evidence**

**POLICY AND PROCEDURE:**

It is the policy of the Miami Township Police Department to maintain a criminal and intelligence investigative function that is available to respond, when needed, to conduct efficient, effective and thorough investigations into incidents requiring specific expertise or equipment, as well as incidents requiring extensive time and effort to investigate. It is further the policy of the Miami Township Police Department to set specific accountability for preliminary and follow-up investigations and to utilize a specific case screening process to determine which cases will be assigned for follow-up investigations, as well as, a specific process for assisting in the internal case management process.

The Chief of Police shall make all appointments to the Investigations Division. The Investigations Division Supervisor may recommend appointments based on the posted criteria and the selection process established. All Investigative Division positions are rotating positions. The duration of the assignment is addressed in Directive 11.5.1. Officers, while assigned to Criminal Investigation function, are patrol officers who receive a 2.5% increase over patrol officer pay rate in accordance with Collective Bargaining Agreement Article 15, Section 15.6.

**42.1.1 On-Call Schedule**

The Investigations Division Supervisor shall provide a call out schedule for Detectives to be utilized should personnel be needed when no personnel are on duty. The schedule

shall be provided to police employees via email. Detectives assigned to call out duty shall be readily available and fit for duty.

When an on-call detective is required, the shift supervisor will contact the Investigations Division Supervisor to inform them of the need for the on-call detective. Should the Investigations Division Supervisor agree with shift supervisor's assessment, they will contact the on-call detective referencing the call-out. Should the on-call detective fail to respond, the Investigations Division Supervisor will document in Guardian Tracking.

#### **42.1.2 Case Screening System**

The Investigations Division Supervisor shall review cases in Interbadge and assign them accordingly. The Investigations Division Supervisor may assign a case to a patrol officer, community relations/crime prevention officer, school resource officer or a detective for follow-up investigation.

The Investigations Division Supervisor shall utilize solvability factors in determining investigative efforts. These include:

- Can a suspect be named?
- Can a suspect be identified?
- Can a suspect be described?
- Can a suspect be located?
- Can a suspect vehicle be identified and/or located?
- Was there significant physical evidence present?
- Is property taken in the offense traceable?
- Is there a significant modus operandi?
- Was there likely a limited opportunity to commit the crime?
- Is there forensic/laboratory processing of evidence to be completed?
- Is there reason to believe that further investigative effort will lead to the closure of the crime?

When a case has been assigned and one or more solvability factors exist, the case will be investigated until which time the investigation indicates that the case should be reclassified. Investigative efforts on a case may be suspended and the case reclassified when any of the following occurs:

- Case Cleared by Arrest – When an offender is arrested, charged with a pertinent offense and measures have been taken to recover all property for which the location is known.
- Case Cleared by Referral/Mediation – Mediation allows both parties a chance to state their side of an incident and attempt to resolve the matter without going to court.
- Case Cleared Unfounded – Whenever investigation shows that an offense did not occur and there are sufficiently reasonable grounds to support this premise.

- Case Closed Inactive – When at the point when it appears as if all investigative leads have been exhausted and there is little or no chance of solving the case.
- Case Cleared by Other Means – Whenever, due to exigent circumstances beyond the investigators control, the identity of the perpetrator is known but prosecution is not possible. Examples of other means clearances include; suicide of the offender, offender in another jurisdictions custody and extradition is denied or victim refuses to cooperate/prosecution declined. In order to qualify for an exceptional means clearance, the answer to all four of the following questions must be a Yes.
  - Has the investigation established the identity of the offender?
  - Is there enough evidence to support an arrest, charge and turning over to the court for prosecution?
  - Do you know the exact location of the offender so you could remand him/her into custody now?
  - Is there some reason outside police control stops you from arresting, charging and prosecuting the offender?

### 42.1.3 Case File Management

#### Case Status Control System

The Investigations Division Supervisor shall be responsible for the management of the criminal case management system. The Investigations Division Supervisor shall maintain a computerized case status control system that includes:

- Case Number
- Victim/Business Name & District of Occurrence
- Offense
- Date Assigned
- Officer Assigned
- Review Date
- Status
- Priority of Investigation (High, Medium or Low)

#### Administrative Designators

Each criminal case shall be designated in one of the following categories, depending on the status of the case or investigation.

- Open Case – The case is not solved and is actively being investigated.
- Closed Case – The case has been solved or has been concluded and cleared as unfounded, by arrest or by exceptional means as defined in UCR guidelines.
- Inactive Case – The case has been investigated and a determination made that there appears no further means by which progress could be made on the case, or that any progress that might be made would be of little significance, compared to

the investigative time spent to achieve productive results. Inactive cases will be reopened when additional or new information or evidence is obtained which may lead to the closure of the case or as directed by the Investigations Supervisor.

Open cases assigned for investigation shall be updated with a supplemental written report no less than once every fifteen days. The written report shall address the progress of the investigation and any request for a case status change, if needed. The case status change request shall be documented with proper substantive information justifying the case status change and must be approved by the Investigations Division Supervisor. It is the responsibility of the case investigator to inform the victim/complainant of any change in the status of a case.

#### *Type of Records to be Maintained*

If written documentation exists outside of the computerized record, it will be maintained in the Records Clerk office. Upon final disposition of a case, the investigating officer shall email to the Investigations Division Supervisor with the disposition and forward any documentation for the case file to the records section where it shall be filed.

#### *Accessibility to the Files*

Access to the general investigative files is open to all employees of the department, excluding intelligence files, internal investigation records, property logs and confidential informant files.

Access to general investigative files by the public will be in accordance with Ohio Revised Code 149.43, Availability of Public Records for Inspection and Copying.

#### *Procedures for Purging the Files*

General investigative case files will be forwarded to the records section upon completion of the investigation. The records section shall file and maintain the case record in accordance with ORC 149.39 and the Miami Township Records Retention and Disposition schedule.

#### **42.1.4 Accountability, Preliminary & Follow-Up Investigations**

The preliminary investigation of all criminal cases shall be the responsibility of the officer who prepares the initial criminal offense report. In circumstances where the crime may be of a serious or complex nature, or there is an indication that an immediate lengthy investigation may lead outside the department's jurisdictional boundaries, the preliminary investigation may be conducted by personnel assigned to the Investigations Division. In the event of the following incidents, the Investigations Supervisor shall be notified by the on-duty supervisor to make that determination.

- Homicide or Suicide;

- Unexplained death, absent obvious causes;
- Suspicious death case taken by the Coroner;
- Child under 12 missing more than one hour after notification has been made to police.
- Rape or Abduction;
- Officer Involved Shooting;
- Death of any Person in Agency Custody;
- Felonious Assault;
- Armed Robbery;
- Breaking and Entering with Property Loss greater than \$5000.00.
- In any situation where investigative personnel could better accomplish the task or bring about a quicker conclusion the shift supervisor may contact the Investigations Supervisor and request the call out of a Detective.

Criminal cases assigned for follow up investigation by the Investigations Supervisor are the responsibility of the officer assigned.

#### **42.1.5 Habitual/Serious Offenders**

Miami Township Police Department does not participate in cases designating habitual/serious offenders, the Clermont County Sheriff's office has been given this responsibility.

#### **42.1.6 Exculpatory Evidence**

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "Brady information") to a prosecuting attorney.

#### **DEFINITIONS:**

***Brady material*** - Information known or possessed by the Miami Township Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

The Miami Township Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Miami Township Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

#### **Disclosure of Investigative Information**

Officers and/or detectives must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are

reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer and/or detective learns of potentially incriminating or exculpatory information any time after submission of a case, they must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files); the information will be forwarded to the prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial, this includes evidence that could be used to impeach an officer and/or detectives credibility on cross examination. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer and/or detective is unsure whether evidence or facts are material, they should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to the appropriate prosecutor. A copy of the memo should be retained in the case file.

#### Disclosure of Personnel Information

If a member of the Department is a material witness in a criminal case, a person or persons designated by the Department shall examine the personnel file and/or internal affairs file of the officer and/or detective to determine whether they contain Brady material. If Brady material is located, the following procedure shall apply:

- a. In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and Department member shall be notified of the potential presence of Brady material in the officer's and/or detective's personnel file.

The person or persons designated by the Department should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain Brady material. The obligation to provide Brady material is ongoing. If any new Brady material is identified, the prosecuting attorney should be notified.

#### Investigating Brady Issues

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Directive 26.2.1, Complaint Investigations. This information must be shared with the prosecutor's office to ensure compliance with Brady Rule.

### Training

Department personnel should review, as needed, the requirements of this policy.