ILLINOIS STATE POLICE DIRECTIVE
OPS-079, CRIMINAL INVESTIGATIVE MANAGEMENT AND REVIEW

RESCINDS:	**REVISED:**
OPS-079, 2019-007, revised 11-06-2019.	01-23-2023 **2023-128**
RELATED DOCUMENTS:	**RELATED CALEA STANDARDS (6th Edition):**
OPS-042	42.1.2, 42.1.3, 42.2.1, 42.2.2, 42.2.3, 42.2.7, 82.1.5

I. POLICY

The Illinois State Police (ISP) will perform criminal investigations and report the results of investigations in a professional, uniform, and expedient manner.

II. AUTHORITY

725 ILCS 5/114-13, “Discovery in criminal cases”

III. DEFINITIONS

III.A. Case file – a collection of reports or other written or electronic documentation concerning an investigation; further identified by an assigned file number, or the computerized equivalent of a physical case file, such as the Department’s Traffic and Criminal Software (TraCS) application or appropriate electronic case management system.

III.B. Case management – the systematic process of decision-making in relation to tactical and operational aspects of an investigation to determine direction, scope, and development, as well as to ensure appropriate investigative steps are being taken.

III.C. Case review – an examination of the case file to ensure it:

III.C.1. Is complete

III.C.2. Is in compliance with the Criminal Investigative Report Writing Manual (CIRWM) or electronic case management application

III.C.3. Accurately reflects previous investigative activity; and

III.C.4. Reflects the current status of the investigation and any associated evidence.

III.D. Case screening – an evaluation of information based upon documented experience, knowledge, reliability of information, solvability factors, and departmental research to determine the most appropriate course of action and allocation of resources.

III.E. Cold Case/Level II pending status (hereinafter referred to as cold case) – terminology used to indicate that investigative activity for a murder, kidnapping, abduction, or missing person is pending due to insufficient solvability factors.

III.F. Command Review – the case review function normally carried out by the Investigative Commander/Zone Commander/Bureau Chief. The Investigative Commander/Zone Commander/Bureau Chief may authorize another command officer to conduct a command review; however, Squad Leader(s) will not carry out a command review of their own squad(s).

III.G. Investigative Document – any physical or electronic report submitted to a case file, including administrative and investigative reports, attachments, court orders, copies of arrest warrants, search warrants, etc.

III.H. Preliminary Investigation – the activities undertaken by an officer(s) who responds to the scene of a crime as defined in ISP Directive OPS-042, "Investigative Responsibilities."

III.I. Solvability Factors – criteria to be considered indicating potential for the successful conclusion of an investigation including, but not limited to the following:

III.I.1. Community impact

III.I.2. Identifiable method of operation

III.I.3. Informants

III.I.4. Initial response time to incident

III.I.5. Intelligence available

III.I.6. Lapsed time (incident to investigator)

III.I.7. Leads

III.I.8. Physical evidence

III.I.9. Prosecutorial concerns/issues

III.I.10. Resources available

III.I.11. Suspects developed

III.I.12. Type of crime

III.I.13. Victims

III.I.14. Witnesses

IV. PROCEDURES

IV.A. Felony investigation

IV.A.1. For any homicide investigation initiated by or participated in by the ISP after November 19, 2003, resulting in an arrest or in the filing of an indictment or information, the ISP shall provide to the appropriate prosecuting authority all investigative material that has been generated or possessed by any ISP employee concerning the offense being prosecuted. Such investigative material will include, but is not limited to, reports, memoranda, and field notes.

IV.A.2. For any non-homicide felony investigation initiated by or participated in by the ISP resulting in an arrest or in the filing of an indictment or information, the ISP shall provide to the appropriate prosecuting authority all investigative material that has been generated or possessed by any ISP employee concerning the offense being prosecuted. Such investigative material will include, but is not limited to, reports and memoranda.

IV.B. ISP will provide to the appropriate prosecuting authority any material or information within its possession or control that would tend to negate the guilt of the accused or reduce his/her punishment for the offense charged. This obligation to furnish such evidence exists regardless of whether the information was recorded or documented in any form.

IV.C. Complaint/information

IV.C.1. All criminal information reported to the ISP will be evaluated for appropriate action.

IV.C.1.a. A certain amount of information will be required from the original source. This information includes:

IV.C.1.a.1) Name

IV.C.1.a.2) Address
IV.C.1.a.3) Telephone number(s) for return contact
IV.C.1.a.4) The nature of the problem

IV.C.1.b. Investigative activities may be determined by information supplied and a case screening review based on solvability factors.
IV.C.1.c. If sufficient information exists to initiate an investigation with supervisory approval, a case will be opened, and a case number will be assigned.
IV.C.1.d. The same case screening review will be used to evaluate preliminary investigations to determine the need for follow-up assignment.
IV.C.1.e. In an effort to obtain further information on active/follow-up investigations, the complainant or victim may be re-contacted.

IV.C.1.e.1) They will be advised to contact the appropriate state's attorney for information regarding criminal complaints.
IV.C.1.e.2) The contact with the complainant or victim will be documented and maintained in the case file.

IV.D. Case opening/follow-up assignment

IV.D.1. A File Initiation Report, ISP 4-001, or case initiation in the appropriate electronic case management system application along with any other reports deemed necessary, will be submitted to the supervisor. Provided the investigative zone/work unit has functioning electronic case management system software, the electronic case management system will be used for all investigative case initiations except Confidential Sources (CS) and Cooperating Individual (CI) files.

IV.D.1.a. Confidential Source/Informant files in the electronic case management system **WILL NOT** contain personal identifying information with the exception of the requirements outlined in ISP Directive OPS-045, "Confidential Sources."
IV.D.1.b. For investigative cases that began on paper before the Department's implementation of the electronic case management system, they will remain as paper case files until closure of the case.

IV.D.2. The opening of an investigation may require large expenditures of resources, both personnel and/or fiscal. The following should be considered before opening a case:

IV.D.2.a. Criminal nature of the problem
IV.D.2.b. Current Divisional Priorities
IV.D.2.c. Existence of lead information
IV.D.2.d. Investigative techniques necessary
IV.D.2.e. Other special considerations specific to the problem
IV.D.2.f. Possible operational problems
IV.D.2.g. Required resources
IV.D.2.h. Seriousness/importance of the problem
IV.D.2.i. Solvability factors
IV.D.2.j. Validity of the original information

IV.D.3. Personnel should be assigned to the investigation of cases based on expertise. When less experienced officers are assigned for personal development, a more experienced officer may be assigned to assist in a training capacity.

IV.D.4. The appropriate division case number is obtained with supervisory approval or generated through the electronic case management system.

IV.D.5. All investigative activity should be properly documented as required by the CIRWM or the electronic case management system application, and the ISP Directives Manual.

IV.D.5.a. Provided the investigative zone/work unit has functioning electronic case management system software, the electronic case management system will be used for all investigative case reporting. Unless covered by another Directive, all

ISP forms not available in the electronic case management system and all other documents generated or received during an investigative case, except Confidential Source (CS)/and Cooperating Individual (CI) files, will be scanned and uploaded as an attachment into the electronic case management system application. Documents containing original signatures, non-evidentiary recorded or digital media, and other non-evidentiary material will be documented in the electronic case management system application and maintained by the appropriate zone/work unit in accordance with ISP Directive ADM-137, "Records Retention/Destruction Schedules."

IV.D.5.b. Officers who do not have access to a computer or functioning electronic case management system software at the time of the report will complete the appropriate paper or electronic report(s) and enter the report(s) into the electronic case management system when they return to their zone/work unit.

IV.D.5.c. In the event there is a conflict between the CIRWM and an ISP Directive listed at a later date, the ISP Policy shall take precedence.

IV.D.6. Assignment of a case will be to a single officer who has the responsibility for case reporting, accounting for evidence, and coordinating the investigative activity and information. This does not preclude the assignment of additional personnel, nor does it preclude supervisors or managers from directing investigative efforts or reporting.

IV.E. Case management/review procedures

IV.E.1. Case management is an ongoing process requiring collaboration between the case agent, first-line supervisor, investigative commanders, and the appropriate prosecuting authority.

IV.E.1.a. Case management will determine the direction and depth of the investigative process and the resources, especially staffing, to be allocated to a particular investigation.

IV.E.1.b. Case management will be interwoven with all aspects of case review.

IV.E.2. Turning over investigative materials to the prosecuting authority

IV.E.2.a. Upon notice of the arrest of a felony suspect, the investigating officer, or his/her supervisor, will ensure copies of all investigative materials are delivered to the appropriate prosecuting authority.

IV.E.2.b. As ISP generates additional investigative materials for the offense being prosecuted, those materials will be delivered to the appropriate prosecuting authority as soon as practicable, but no later than 30 days from the date that they are generated unless extended with documented supervisory approval.

IV.E.3. Case reporting and review

IV.E.3.a. The Master Sergeant/Squad Leader will maintain a case review book or computerized database. The book or database will contain a Casebook Review Log, ISP 4-155 (or similar log). The Casebook Review Log, and any other reports deemed necessary, will be submitted to the supervisor for each open case.

IV.E.3.b. The review process begins with the reporting officer. The reporting officer will review all reports for completeness and accuracy prior to submission to a supervisor.

IV.E.3.c. Subsequent to submission, the supervisor will review the report for completeness and accuracy and will log each document onto the Casebook Review Log form, ISP 4-155, unless an automated notification for case updates and supportive reports is generated by an electronic case reporting system.

IV.E.3.d. The supervisor will review the case review book or the computer database every 30 days or if exigent circumstances arise, as soon as practical thereafter.

IV.E.3.d.1) The purpose of the review is to ensure completeness of case reporting and to determine if the appropriate documents have been completed.

IV.E.3.d.2) The supervisor will initial and date the occurrence of the review and, for follow-up purposes, note any problems or deficiencies in reporting.

IV.E.3.e. A command review of a random sampling of both active and pending cases will be conducted every 90 days or if exigent circumstances arise, when practical thereafter, except of cold cases. The intent of the review is to ensure accuracy of reporting and completeness of all active case files, as indicated in the CIRWM, or the electronic case management system application and the ISP Directives Manual.

IV.E.3.f. It is incumbent upon Region/Area Commanders to ensure the integrity of the case management/review in their Region/Area.

IV.E.3.g. Nothing herein will preclude supervisors from applying additional controls to the system they deem necessary.

IV.F. Case file storage

IV.F.1. Personnel of the Records Management Section (RMS), Division of Justice Services (DJS), will enter all pertinent information contained within each investigative document into the ISP Indices System or Investigative Pointer System for all cases which have not been submitted via the TraCS application. The investigative documents/records are then filed in the Records Management Section file room.

NOTE: The Division of Internal Investigation (DII) will securely file the investigative documents/records.

IV.F.2. Confidential source (CS) files will be maintained separately from investigative files. In addition, juvenile files concerning all minors under 18 years-of-age (to include juvenile perpetrators, victims, or witnesses) must be maintained separately from the records of adults.

IV.F.3. Only authorized personnel are allowed access to the file room.

IV.G. Case closing procedures

IV.G.1. A case can be closed by using the electronic case management system application, a Case Action Report form, ISP 4-008, or a File Initiation Report, ISP 4-001, or by submitting an administrative report through an electronic case reporting system that changes the status to indicate the file is closed along with any other reports deemed necessary, which will be submitted to the supervisor.

IV.G.2. Supervisory approval is required to close any case. Supervisors should consider, but are not limited to, the following criteria in determining if a case merits termination:

IV.G.2.a. Adjudication completed
IV.G.2.b. Administrative closing (informational source files, juvenile files, etc.)
IV.G.2.c. Application of appropriate case screening and solvability factors relevant to the specific criminal offense
IV.G.2.d. Availability of investigative resources
IV.G.2.e. Complainant's refusal to cooperate
IV.G.2.f. Declination by prosecutor
IV.G.2.g. Exceptional clearance, as defined in the CIRWM, or the electronic case management system
IV.G.2.h. Referral to another agency
IV.G.2.i. Seriousness of criminal offense - community impact
IV.G.2.j. Unfounded complaint

IV.G.3. A case agent will not close a case (with evidence) until confirmation of a receipt of an ISP Evidence Disposal Report, ISP 4-009, has been received from the appropriate Evidence Custodian (EC). An Evidence Disposal Report, or similar form within the electronic case management system application or other authorized report writing system, will be submitted by the case agent to the EC. Upon submission of the disposal report, the EC will sign the

disposal report documenting receipt and return a copy to the case agent. The case agent will submit the signed disposal report with an ISP 4-008, or similar form within the electronic case management system application or other authorized report writing system to close the case.

IV.G.4. After the case is closed, the Zone Commander/Bureau Chief/Investigative Commander, or designee reviews the file to ensure all documents are included and properly reported.

IV.G.5. The Records Management Section records retention schedule will:

IV.G.5.a. retain closed adult case files beginning in the year 1999 forward in digital/electronic format for 65 years from closure of the case, then delete from the system provided all audits have been completed, if necessary, and no litigation is pending or anticipated.

IV.G.5.b. retain closed adult case files before the year 1999 in microfilm format for 65 years from closure of the case, then destroy in a secure manner provided all audits have been completed, if necessary, and no litigation is pending or anticipated.

IV.G.5.c. retain closed juvenile case files beginning in the year 1999 forward in digital/electronic format for 80 years from closure of the case, then delete from system provided all audits have been completed, if necessary, and no litigation is pending or anticipated.

IV.G.5.d. retain closed juvenile case files before the year 1999 in microfilm format for 80 years from closure of the case, then destroy in a secure manner provided all audits have been completed, if necessary, and no litigation is pending or anticipated.

Other divisions will close and store case files in accordance with their respective division directives.

IV.H. Cold Cases

IV.H.1. When a case is designated as a cold case, the case agent's supervisor may require that the case agent submit an Investigative Summary, ISP 4-006, or similar form within the electronic case management system application along with any other reports deemed necessary, to the supervisor. The Investigative Summary, if submitted, must identify what solvability factors are absent and preventing further investigation or prosecution.

IV.H.2. The recording of cold case investigative actions will comply with the CIRWM or the electronic case management application.

IV.H.3. Cold cases will be transferred from the case agent and reassigned to the Zone Commander/Investigative Commander. The Zone Commander/Investigative Commander or equivalent is authorized to assign a cold case to another command officer with the rank of Lieutenant or higher. The Zone Commander/Investigative Commander will ensure:

IV.H.3.a. Cold cases are reviewed every 365 calendar-days, at a minimum.

IV.H.3.b. A case agent is assigned to investigate any leads.

IV.H.3.c. An Investigative Report, ISP 4-003, or similar form within TraCS is submitted documenting cold case review findings. If a case cannot be solved, the report must include what solvability factors are absent and preventing further investigation or prosecution.

IV.H.3.d. The need for retention or disposal of evidence, property related items, and seized assets must be completed every 180 days.

Indicates new or revised items.

-End of Directive-