

 City of Norfolk	Operational General Order – 430	Case Reports
	Department of Police General Order	
	CALEA: none	
	VLEPSC: none	
LEGAL REVIEW DATE: <i>October 26, 2016</i>	PRESCRIBED DATE: <i>12-30-10</i>	<i>UP</i>
City Attorney: <i>Wayne Ringer</i>	City Manager/Director of Public Safety: <i>James H. Williams</i>	
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE: <i>[Signature]</i>		

Office of Preparation: Strategic Management Division / acb

Purpose

To provide required procedures for submitting case reports and related information to prosecuting attorneys handling criminal or appealed cases.

Policy

Employees of the Norfolk Police Department shall assist the City, Commonwealth, and United States Attorneys in the prosecution of cases by providing all relevant material and information relating to criminal trials and appeals. Information gathered during initial or follow-up investigations shall be provided by completing and submitting required case reports and any necessary supplements as outlined in this order.

Supersedes:

1. G.O. OPR-430, dated May 14, 2009
2. Any previously issued order conflicting with this order

Order Contents:

- I. Required Case Reports
- II. Case Report Preparation
- III. Case Report Submission
- IV. Supplemental Case Reports

I. Required Case Reports

A. Misdemeanor Case Reports

1. The Commonwealth's Attorneys Office prosecutes the following misdemeanor cases:
 - a. Assault by a family member
 - b. Driving Under the Influence (DUI)
 - c. Stalking
 - d. School-related offenses (during school hours/activities)
 - e. Prostitution
 - f. Concealed weapon charges (weapon is a firearm)
 - g. Brandishing of a firearm
2. An officer making an arrest for one of the above offenses will be responsible for completing a PD 544, Arresting Officer's Summary, in lieu of completing a PD 881, Felony Case Report. However, officers will follow the same case report preparation, submission, and supplemental procedures set forth in this order.

B. Appealed Misdemeanor Case Reports

The arresting officer or investigator will complete one of the following case reports and follow the same case report preparation, submission, and supplemental procedures set forth in this order:

1. Upon request from the City Attorney, case reports for appealed misdemeanor charges based on violations of the City Code will be submitted on a PD 515, Appealed City Case Report.
2. Upon request from the Commonwealth Attorney, case reports for appealed misdemeanor charges based on violations of the State Code will be submitted on a PD 820, Appealed Commonwealth Case Report.

C. Felony Case Reports

1. Arresting officers, unless unusual circumstances exist, will complete felony case reports for the below listed offenses:
 - a. Petit larceny/concealment (third offense) and grand larceny from retail merchants
 - b. Habitual offender (second offense)

- c. Possession/transportation of a firearm by a convicted felon
 - d. Assault and battery against a family or household member (third offense)
 - e. Throwing object at occupied vehicle
 - f. Carrying concealed weapon (second offense or by a convicted felon)
 - g. Assault on a police officer
 - h. Driving Under the Influence (third offense, within 10 years).
2. Investigating officers will prepare case reports for fugitive felons.
 3. Assigned investigators, of the appropriate investigative division, will prepare all other felony case reports.
 4. Personnel will use PD 881, Felony Case Report, when the completion of a case report is required. PD 881, Felony Case Report, Witness Page 2a, will be completed as needed.

II. Case Report Preparation

- A. Case reports may be typed or neatly printed. All spaces on the case report must be completed. If a section does not apply, the blank space should be filled in with N/A.
- B. It is essential for officers/investigators to be complete and factual when completing case reports.
- C. As applicable, a copy of the following forms will be submitted with each case report:
 1. PD 004, Evidence Photograph and/or all vouchers
 2. PD 018, Incident Report (IBR), and report closing
 3. PD 381, Legal Rights Advice Form
 4. PD 544, Arresting Officer's Summary, or other relevant forms
 5. All laboratory reports and/or fingerprint requests and results, e.g., PD 563, Request for Fingerprint Examination and PD 571, Results of Latent Print Examination
 6. PD 596, Certificate of Accuracy for Speed Measurement Device

7. PD 706, Investigator's Case Reference Notes, or other relevant forms
8. PD 707, Statement Form, for defendant's statement or confession, or other relevant forms
9. PD 940, Arrest/Detention Worksheet
10. Crime scene sketch
11. Statements made by witnesses and officers

III. Case Report Submission

- A. The preparing officer/investigator will complete and submit the case report to his/her supervisor no later than:
 1. Five (5) calendar days after the date of arrest; or
 2. Ten (10) calendar days prior to the Grand Jury in instances where there is a straight indictment with no preliminary hearing. Grand Jury hearings are conducted on the first and third Wednesdays of each month.
- B. The reviewing supervisor will ensure the case report and attachments are legible and complete, returned to the preparing officer/investigator for any necessary corrections, and submitted:
 1. Ten (10) calendar days after the date of arrest; or
 2. Seven (7) calendar days before Grand Jury day for indictment requests.
- C. The time frames for submission of case reports as listed above are subject to change at the request of the prosecuting attorney for appealed cases and unusual situations. Commands will ensure that all resources are made available for the submission of reports under unusual conditions.
- D. The preparing officer/investigator will:
 1. Enclose the case report and attachments in a securely fastened envelope addressed to the prosecuting attorney's office with the below listed information on the outside of the envelope:
 - a. Name of prosecuting attorney's office (i.e., City Attorney, Commonwealth Attorney, or United States Attorney)
 - b. The defendant's name and date of birth
 - c. All charges pending trial and indicate if the case should be reviewed for federal prosecution

- d. The courtroom number and hearing date
 - e. The preparing officer's name and rank
2. Record the submission within the command's logbook for all case and supplemental reports. The report will be forwarded to the appropriate prosecuting attorney's office by one of the following methods:
- a. City Attorney case reports will be hand delivered or sent by interdepartmental mail to the requesting City Attorney. Case reports sent by interdepartmental mail will be sealed in the envelope and delivered directly to the City Attorney's Office by the department's mail runner.
 - b. Commonwealth Attorney case reports for felony cases will be hand delivered. Appealed case reports are to be sent via E-mail. Under no circumstances will case reports or supplements be sent by interdepartmental mail.
 - (1) Fugitive felon case reports will be delivered directly to the Detective Division for handling.
 - (2) Case reports will be hand delivered to an investigator assigned to the Commonwealth's Attorneys Office, or recorded in the designated logbook at one of the following locations for pick up and delivery by an investigator assigned to the Commonwealth's Attorneys Office:
 - (a) Second Patrol Division
 - (b) Third Patrol Division
 - (c) Vice and Narcotics Division
 - (d) Detective Division
 - c. United States Attorney may adopt cases in order to federally prosecute offenders involved in repeated and/or violent crimes such as drug or firearm violations.
 - (1) Officers/Investigators will follow the case report procedures outlined in this order, forwarding case reports to the Commonwealth's Attorneys Office. Upon review, cases may be referred to the US Attorney's Office for prosecution.
 - (2) Cases involving crimes such as conspiracy drug or murder cases may be adopted by the US Attorney's Office at the on-set of the investigation.

Officers/Investigators will be required to furnish all necessary paperwork for successful prosecution.

- (3) If the case is adopted, officers/investigators will complete and hand deliver necessary paperwork as soon as possible, or within the requested time frame, directly to the US Attorney's Office.

IV. Supplemental Case Reports

- A. Officers/Investigators will submit Supplemental Case Reports if the officer/investigator overlooked or develops any pertinent information in reference to the case after the case report is submitted, or at the request of the prosecuting attorney.
- B. Supplement case reports will be submitted as soon as possible, but no later than five (5) calendar days. The remaining procedures for submitting supplemental case reports will be the same as in Section III., Case Report Submission.

Related Documents:

1. G.O. ADM-420: Virginia Uniform Summons
2. G.O. OPR-320: Driving Under the Influence (DUI)
3. G.O. OPR-420: Preliminary Investigations
4. G.O. OPR-425: Interrogations
5. G.O. OPR-428: Search Warrants
6. G.O. OPR-452: Family Violence
7. G.O. OPR-455: Shoplifting
8. G.O. OPR-470: Fugitives
9. G.O. OPR-720: Juveniles