

BATON ROUGE POLICE DEPARTMENT

General Order
No.310

Effective Date
11-01-1994

Revised Date
02-01-2001

Subject: Misdemeanor Investigations

Reviewed 9/1/16

POLICY

It is the policy of this department to pursue investigations of all crimes, whether they are felonies or misdemeanors.

Uniform Patrol officers will be the primary investigators of misdemeanor complaints. However, as their primary mission is that of a first responder, and therefore, their ability to do follow up investigation is limited.

The following procedure defines the types of investigations to be conducted by patrol officers and those that will be referred to the Misdemeanor Investigations Office.

PROCEDURES

I. Initial Investigation

- A. When a Uniform Patrol officer begins the investigation of a misdemeanor offense as defined by the La. C.Cr.P., he will determine the following:
 - 1. Does the victim wish to file criminal charges?
 - 2. Is there sufficient probable cause for arrest?
- B. If the victim expresses a desire to file charges, but sufficient probable cause is lacking, the officer will complete an offense report and forward it to the Misdemeanor Investigations office for further investigation.
- C. With the exception of domestic violence cases, if there is sufficient probable cause for arrest but the victim desires not to file charges, the officer will complete an offense report there upon noting that the victim does not wish to file charges and clear the crime.
- D. The victim will be advised of the right to file charges for one year through the Misdemeanor Investigations office.
- E. Nothing in this order will be construed as to prohibit an officer from making an arrest or issuing a summons based on probable cause alone, if in the officer's judgment, this course of action is required to solve the problem or prevent further incidents.

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- F. In the case where the victim does express a desire to file charges and there is sufficient probable cause, the uniform patrol officer may issue a summons or make an arrest in the following instances:
 - 1. The suspect is at scene or in the vicinity.
 - 2. The suspect is not in the vicinity but is at a known location within the officer's district.
 - 3. The suspect is at a known location outside of the officer's district, but within the City limits, and the officer secures permission from a field supervisor.
 - 4. The suspect is nearby but outside the City limits.
- G. In all other cases, Uniform Patrol officers will complete an offense report and forward it to the Misdemeanor Investigations Office for follow up.

II. Responsibilities of the Misdemeanor Investigations Office

- A. The Misdemeanor Investigations Office will be the primary investigators of all utility thefts, violations of City code ordinances other than Titles 11, 12, and 13 violations, and any other specialized misdemeanor investigations determined by the Chief of Police.
- B. The Misdemeanor Investigations Office will also provide any investigative or enforcement assistance the Fire Department or Animal Control officers may require. If these agencies require assistance with an investigation that is of an urgent nature and officers from the Misdemeanor Investigations Office are not available, officers from the District where in the investigation is to be conducted will provide the assistance. If support personnel (e.g. Crime Scene Lab, Detectives, etc.) are needed, normal operational procedures will apply.
- C. The Misdemeanor Investigations Office will be responsible for the follow up investigations of all misdemeanors reported by the Uniform Patrol Division or any other officer who has cause to investigate a misdemeanor crime, but does not make an arrest or issue a summons.