

# Investigation and Prosecution

## 600.1 PURPOSE AND SCOPE

Best Practice MODIFIED

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal and administrative investigations.

## 600.2 POLICY

Best Practice MODIFIED

It is the policy of the California Department of State Hospitals (DSH) to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

## 600.3 INITIAL INVESTIGATION

Best Practice

### 600.3.1 OFFICER RESPONSIBILITIES

Best Practice

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  1. An initial statement from any witnesses or complainants.
  2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
  1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
  4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  5. Collect any evidence.
  6. Take any appropriate law enforcement action.
  7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

## *Investigation and Prosecution*

---

### 600.3.2 NON-SWORN EMPLOYEE RESPONSIBILITIES

Best Practice MODIFIED

A professional staff employee assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Shall an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

### 600.3.3 LOCAL SUBJECT MATTER EXPERT CONSULTATION REQUIREMENTS

Agency Content

When an allegation of abuse or neglect occurs involving medical staff regarding the standard of care of a patient, the assigned Investigator and/or Supervising Investigator **shall** consult with the hospital Medical Director or designee. The clinical documents of the case may be reviewed, within legal limits, during this consultation to provide context to the Investigator. Furthermore, any ongoing or prevalent medical care issues should be identified to address any safety concern to prevent further harm to the involved patient or harm to other patients. In the event the Medical Director does not respond within 72 hours the investigator shall proceed with the investigation and notify OPS Sacramento through his or her supervisor. When there is a disagreement between the Investigator and the Medical Director's consultation, OPS Sacramento shall be notified, wherein the processes established in DSH Investigation Support: Clinical Subject Matter Expert Panel and Clinician Consultation (PD 3104) shall begin. This policy is not applicable to any cases being investigated by the OLES.

### 600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Federal MODIFIED

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy. Officers shall refer to the Portable Audio/Video Recording Policy which requires the recording of interviews in circumstances not involving custodial interrogation.

#### 600.4.1 AUDIO/VIDEO RECORDINGS

Best Practice MODIFIED

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense shall be recorded (audio or video with audio as available) in its entirety. Staff shall be required to begin recording before the start of all interviews and are to let the person know they are being recorded immediately before the interview begins. In the circumstance that there is a refusal to participate in the interview, the refusal must be recorded, before turning off the recording device. Regardless of where the interrogation occurs, every reasonable effort shall be made to secure functional recording equipment to accomplish such recordings.

Consideration shall also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

## *Investigation and Prosecution*

---

No recording of a custodial interrogation shall be destroyed or altered without written authorization from the prosecuting attorney and the Investigation unit supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings shall not take the place of a thorough report and investigative interviews. Written statements from suspects shall continue to be obtained when applicable.

### 600.4.2 MANDATORY RECORDING OF ADULTS

State **MODIFIED**

Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. Staff shall be required to begin recording before the start of all interviews and are to let the person know they are being recorded immediately before the interview begins. In the circumstance that there is a refusal to participate in the interview, the refusal must be recorded, before turning off the recording device. The recording shall be video with audio if reasonably feasible (Pen. Code § 859.5).

This recording is not mandatory when (Pen. Code § 859.5):

- (a) Recording is not feasible because of exigent circumstances that are later documented in a report.
- (b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal must be recorded and documented in a report. If feasible, the refusal shall be electronically recorded.
- (c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.
- (d) The interrogation occurs when no employee conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating employee develops a reason to believe the individual committed murder.
- (e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.
- (f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.
- (g) The questions are part of a routine processing or booking, and are not an interrogation.
- (h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

## *Investigation and Prosecution*

---

The OPS shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Pen. Code § 859.5).

### 600.4.3 OTHER MANDATORY RECORDINGS

**Agency Content**

Interviews conducted by officers for incidents involving any sexual assault allegation, physical abuse, all felony investigations, circumstances surrounding deaths, and any recantation by a patient shall be recorded, except in cases where the recording of the interview would make a patient anxious, uncomfortable, or result in their refusal to participate in the interview. In these circumstances, the refusal to be recorded or interviewed shall be recorded/ In cases where officers are unable to record based on the exceptions listed, officers shall document, in the report, the reasoning for not making the recording.

### 600.4.4 ADMINISTRATIVE INTERVIEW NOTIFICATIONS

**Agency Content**

- (a) It is the policy of DSH that Investigators who are investigating any allegation of staff misconduct strive to conduct a thorough and objective investigation. Both administrative investigation Subjects and Witnesses shall receive a "Notice of Investigatory Interview" 72 hours or 3 days prior to the interview. Investigators may serve these notices in person or by departmental email.
- (b) Prior to conducting an administrative interview, he/she must be read the Office of Special Investigation's Subject Administrative Admonishment form and witnesses must be read the Witness Admonishment form. The investigative admonishment shall also be read into the recorder while the audio recorder is on. All admonishment forms shall be signed by the parties being interviewed indicating their understanding and included in the investigation report.

### 600.5 DISCONTINUATION OF INVESTIGATIONS

**Best Practice** **MODIFIED**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) With the approval of a of the proper chain of command. OLES must be notified for monitored cases.
- (b) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (c) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - (a) In these cases, the investigator shall document that the person was warned and why prosecution was not sought.

## *Investigation and Prosecution*

---

- (b) Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (d) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (e) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted, or requested, and there is no need to take the suspect into custody.
- (f) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted, or requested.
- (g) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations, and Senior and Disability Victimization policies may also require an arrest or submittal of a case to a prosecutor.

### **600.6 COMPUTERS AND DIGITAL EVIDENCE**

**Best Practice** **MODIFIED**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers shall request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers shall take reasonable steps to prepare for such seizure and use the resources that are available. Each OSI shall be equipped with the appropriate tools/equipment to carry out this task and shall coordinate with DSH' CIO or designee to obtain said materials.

### **600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

**Best Practice** **MODIFIED**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet shall only be accessed by members while on-duty and for purposes related to the mission of DSH. If an employee encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the employee shall note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as possible. The employee, or others who have been assigned to do so, shall attempt to replicate the finding when on-duty and using DSH equipment.

Information obtained via the Internet shall not be archived or stored in any manner other than DSH-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

## *Investigation and Prosecution*

---

### 600.7.1 ACCESS RESTRICTIONS

**Best Practice** **MODIFIED**

Information that can be accessed from any DSH computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source shall be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence shall be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source shall be documented in the related report. Documentation shall include the source of information and the dates and times that the information was gathered.

### 600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

**State** **MODIFIED**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers shall seek legal counsel before any such interception.

## **600.8 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY**

**State** **MODIFIED**

The applicable Investigation unit supervisor or designee is responsible for ensuring the following for cellular communications interception technology operations (Gov. Code § 53166):

- (a) Security procedures are developed to protect information gathered through the use of the technology.
- (b) A usage and privacy policy is developed that includes:
  1. The purposes for which using cellular communications interception technology and collecting information is authorized.
  2. Identification by job title or other designation of employees who are authorized to use or access information collected through the use of cellular communications interception technology.
  3. Training requirements necessary for those authorized employees.

## *Investigation and Prosecution*

---

4. A description of how DSH will monitor the use of its cellular communications interception technology to ensure the accuracy of the information collected and compliance with all applicable laws.
5. Process and time period system audits.
6. Identification of the existence of any memorandum of understanding or other agreement with any other local agency or other party for the shared use of cellular communications interception technology or the sharing of information collected through its use, including the identity of signatory parties.
7. The purpose of, process for and restrictions on the sharing of information gathered through the use of cellular communications interception technology with other local agencies and persons.
8. The length of time information gathered through the use of cellular communications interception technology will be retained, and the process the local agency will utilize to determine if and when to destroy retained information.

Employees shall only use approved devices and usage shall be in compliance with DSH security procedures, DSH's usage and privacy procedures and all applicable laws.

### **600.9 MODIFICATION OF CHARGES FILED**

Best Practice **MODIFIED**

Employees are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Watch Commander or the Chief of Law Enforcement. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

### **600.10 ADMINISTRATIVE INVESTIGATIVE FORMS**

Agency Content

#### **600.10.1 NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - NON-PEACE OFFICER WITNESS**

Agency Content

[See attachment: NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - NON PEACE OFFICER WITNESS.pdf](#)

#### **600.10.2 NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - NON-PEACE OFFICER SUBJECT**

Agency Content

[See attachment: NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - NON-PEACE OFFICER SUBJECT.pdf](#)

#### **600.10.3 NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - PEACE OFFICER WITNESS**

Agency Content

## *Investigation and Prosecution*

---

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - PEACE OFFICER WITNESS.pdf](#)

600.10.4 NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - PEACE OFFICER SUBJECT (MIRANDA-LYBARGER)

Agency Content

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE - PEACE OFFICER SUBJECT \(MIRANDA-LYBARGER\).pdf](#)

### **600.11 CRIMINAL INVESTIGATIVE FORMS**

Agency Content

600.11.1 NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - NON-PEACE OFFICER WITNESS

Agency Content

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - NON-PEACE OFFICER WITNESS.pdf](#)

600.11.2 NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - NON-PEACE OFFICER SUBJECT

Agency Content

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - NON-PEACE OFFICER SUBJECT.pdf](#)

600.11.3 NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - PEACE OFFICER WITNESS

Agency Content

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - PEACE OFFICER WITNESS.pdf](#)

600.11.4 NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - PEACE OFFICER SUBJECT

Agency Content

See attachment: [NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL - PEACE OFFICER SUBJECT.pdf](#)

### **600.12 USE OF CERTAIN DNA SAMPLES**

State

Known samples of DNA collected from a victim of a crime or alleged crime, and known reference samples of DNA from any individual that were voluntarily provided for the purpose of exclusion are to be used only for the purpose directly related to the incident being investigated and in compliance with the procedures identified in Penal Code § 679.12.

### **600.13 ANTI-REPRODUCTIVE RIGHTS CRIMES**

State

## *Investigation and Prosecution*

---

A member should take a report any time a person living within the jurisdiction of the California Department of State Hospitals reports that the person has been a victim of an anti-reproductive rights crime as defined by Penal Code § 13776 and Penal Code § 423.3. This includes:

- (a) Taking a report, even if the location of the crime is outside the jurisdiction of this OPS or has not been determined (e.g., online harassment).
- (b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Members should encourage the person to review the material and should assist with any questions.

A report should also be taken if a person living outside OPS jurisdiction reports an anti-reproductive rights crime that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the state to facilitate the crime).

A member investigating an anti-reproductive rights crime should ensure that the case is referred to the appropriate agency if it is determined that this OPS should not be the investigating agency. The victim should be advised that the case is being transferred to the agency of jurisdiction. The appropriate entries should be made into any databases that have been authorized for OPS use and are specific to this type of investigation.

The Office of Special Investigations supervisor should provide the Records Manager with enough information regarding the number of calls for assistance and number of arrests to meet the reporting requirements to the California Department of Justice as required by Penal Code § 13777. See the Records Bureau Policy for additional guidance.

### **600.14 STATE REQUIREMENTS FOR FIREARM INVESTIGATIONS**

**State**

#### **600.14.1 CALIFORNIA DOJ NOTICE OF LOCATION OF REPORTED LOST OR STOLEN FIREARM**

**State**

When notification is received from the California Department of Justice (DOJ) that a firearm purchase matches an entry made into the Automated Firearms System by the OPS as lost or stolen, the Office of Special Investigations supervisor shall assign an officer to retrieve the firearm and book the firearm into evidence in accordance with the Property and Evidence Policy. Recovery of the firearm shall be reported pursuant to Penal Code § 11108.2, Penal Code § 11108.3, and Penal Code § 11108.5. If appropriate, arrangements may be made to have another state or local law enforcement agency retrieve the firearm on behalf of the OPS (Penal Code § 28220).

#### **600.14.2 RELINQUISHMENT OF FIREARMS VERIFICATION**

**State**

The Office of Special Investigations supervisor shall designate a member to have access to the Armed Prohibited Persons System (APPS) to receive information regarding individuals in the jurisdiction of the OPS who have become a prohibited possessor of a firearm registered in their name and have not provided proof of relinquishment. The member shall document steps taken to

## *Investigation and Prosecution*

---

verify that the individual is no longer in possession of firearms and provide the information to the Records Bureau for preparation of a quarterly report to the California DOJ (Penal Code § 29813) (see the Records Bureau Policy for additional guidance).

## Attachments

**NOTICE OF INVESTIGATORY  
INTERVIEW ADMINISTRATIVE -  
NON PEACE OFFICER WITNESS.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Hospital Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE –WITNESS, CASE #**

You are ordered to report for an administrative interview. This interview will be conducted by **Investigator** . You are not a subject of this administrative investigation. You are being interviewed as a witness to the events surrounding this investigation.

You may bring a representative if you wish. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s). Your recording(s) will be retained in a sealed envelope with the investigative file. The recording(s) shall be made available to you in advance of any subsequent interview of you regarding the same or related subjects and will be provided to you upon request after the investigation has been concluded. You may not use a digital recorder unless you agree to relinquish possession of the recorder at the end of the interview. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator's Signature

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server's Signature

\_\_\_\_\_  
Server's Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY  
INTERVIEW ADMINISTRATIVE - NON-  
PEACE OFFICER SUBJECT.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE –SUBJECT, CASE #**

You are ordered to report for an administrative interview. This interview will be conducted by **Investigator** . You are a subject of this administrative investigation.

You have a right to representation and may bring a representative if you wish. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s) prior to any subsequent interview of you. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
ADMINISTRATIVE - PEACE OFFICER WITNESS.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE –WITNESS, CASE #**

You are ordered to report for an administrative interview. This interview will be conducted by **Investigator** . You are not a subject of this administrative investigation. You are being interviewed as a witness to the events surrounding this investigation.

You may bring a representative if you wish. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s). Your recording(s) will be retained in a sealed envelope with the investigative file. The recording(s) shall be made available to you in advance of any subsequent interview of you regarding the same or related subjects and will be provided to you upon request after the investigation has been concluded. You may not use a digital recorder unless you agree to relinquish possession of the recorder at the end of the interview. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
ADMINISTRATIVE - PEACE OFFICER  
SUBJECT (MIRANDA-LYBARGER).pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW ADMINISTRATIVE –SUBJECT, CASE #**

You are the subject of an administrative investigation and ordered to report for an administrative interview. This interview will be conducted by **Investigator** .

The nature of the administrative investigation is regarding an incident that was, is currently, or may in the future be related to a criminal investigation or proceedings. As such, you will be initially advised of your constitutional rights.

You have a right to representation and may bring a representative if you wish. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s) prior to any subsequent interview of you. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):

➤

The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
CRIMINAL - NON-PEACE OFFICER WITNESS.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL –WITNESS, CASE #**

You are ordered to report for a criminal interview. This interview will be conducted by **Investigator** . You are not a subject of this criminal investigation. You are being interviewed as a witness to the events surrounding this investigation.

You may bring a representative if you wish. The representative you choose may be an attorney or paralegal. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department's recording(s). Your recording(s) will be retained in a sealed envelope with the investigative file. The recording(s) shall be made available to you in advance of any subsequent interview of you regarding the same or related subjects and will be provided to you upon request after the investigation has been concluded. You may not use a digital recorder unless you agree to relinquish possession of the recorder at the end of the interview. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator's Signature

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server's Signature

\_\_\_\_\_  
Server's Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
CRIMINAL - NON-PEACE OFFICER SUBJECT.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL –SUBJECT, CASE #**

You are ordered to report for a criminal interview. This interview will be conducted by Investigator . You are a subject of this criminal investigation.

You have a right to representation and may bring a representative if you wish. The representative you choose may be an attorney or paralegal. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s) prior to any subsequent interview of you. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** **Time:**  
**Location:**

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
CRIMINAL - PEACE OFFICER WITNESS.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL –WITNESS, CASE #**

You are ordered to report for a criminal interview. This interview will be conducted by **Investigator** . You are not a subject of this criminal investigation. You are being interviewed as a witness to the events surrounding this investigation.

You may bring a representative if you wish. The representative you choose may be an attorney or paralegal. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s). Your recording(s) will be retained in a sealed envelope with the investigative file. The recording(s) shall be made available to you in advance of any subsequent interview of you regarding the same or related subjects and will be provided to you upon request after the investigation has been concluded. You may not use a digital recorder unless you agree to relinquish possession of the recorder at the end of the interview. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File

**NOTICE OF INVESTIGATORY INTERVIEW  
CRIMINAL - PEACE OFFICER SUBJECT.pdf**

# Memorandum

Date:

To: **Name:**  
**Working Title:**  
**DSH Facility:**

Subject: **NOTICE OF INVESTIGATORY INTERVIEW CRIMINAL –SUBJECT, CASE #**

You are ordered to report for a criminal interview. This interview will be conducted by **Investigator** . You are a subject of this criminal investigation.

You have a right to representation and may bring a representative if you wish. The representative you choose may be an attorney or paralegal. The representative cannot be a subject or a witness of this investigation. You may record any portion of this interview or have access to the Department’s recording(s) prior to any subsequent interview of you. You are ordered not to discuss the case prior to or after your interview except with your chosen representative.

The interview is scheduled to investigate the following subject matter(s):



The interview is scheduled for:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  
**Location:** \_\_\_\_\_

If you have any questions or concerns, please contact the undersigned Investigator at

Please sign your name and the date you received this notice on the space provided below:

\_\_\_\_\_  
Investigator’s Signature

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Employee’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Server’s Signature

\_\_\_\_\_  
Server’s Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

cc: OSI Case File