

	ELGIN POLICE DEPARTMENT 151 Douglas Avenue Elgin, Illinois 60120	
Effective Date: 05/17/24	STANDARD OPERATING PROCEDURE	Revised Date: 00/00/00
Chief of Police: 	Cold Case Investigation Unit, 42.8	
Cross Reference: Job Description	Policy Sections: 42.8.1 Composition of the Cold Case Team 42.8.2 Case Selection and Victim Notification 42.8.3 Case Review and Development 42.8.4 Identification of a Suspect 42.8.5 Case Closure 42.8.6 Re-Assignment of Personnel 42.8.7 Training Appendix A: Cold Case Review Form Appendix B: Sample Contents of an Investigative Case File	

PURPOSE

The purpose of this policy is to establish guidelines for the management and function of the Cold Case Investigation Unit.

POLICY STATEMENT

It is the policy of the department to utilize a Cold Case Investigation Unit to identify and research cold cases in the pursuit of justice and closure for victims and their families. These cases often require significant time, resources, organizational and administrative support to ensure case review and investigative goals and objectives are met. The department will review cold cases that are subject to criminal prosecution in an effort to identify offenders for public safety purposes, provide additional intelligence to law enforcement agencies that may assist in the resolution of an outside agency's case, link crimes committed by the same offender that are subject to prosecution and to provide information to victims and their families.

DEFINITIONS

Criminal Sexual Assault: Pursuant to 720 ILCS 5/11-1.2, a person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent (3) is a family member of the victim, and the victim is under 18 years of age or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age, but under 18 years of age.

Cold Cases: Unresolved cases where leads are not readily identifiable and/or a period of time has passed since the date of the offense without any case resolution. These cases encompass homicides, sexual assaults, long-term missing persons, and unidentified human remains investigations. The case must have remained unsolved for at least three years.

Family Liaison Officer: Role assigned to the Lead Detective during the investigation to ensure the victim's family is provided with a liaison to the department throughout the investigation.

Homicide: The killing of a human being due to the act or omission of another. Included among homicides are murder and manslaughter. Pursuant to 720 ILCS 5/9-1, a person who kills an individual without lawful justification commits first degree murder if, in performing the acts which cause the death: (1) he or she either intends to ill or do great bodily harm to that individual or another, or knows that such acts will cause death to that individual or another or (2) he or she knows that such acts create a strong probability of death or great bodily harm to that individual or another or (3) he or she, acting alone or with one or more participants, commits or attempts to commit a forcible felony other than second degree murder, and in the course of or in furtherance of such crime or flight therefrom, he or she or another participant causes the death of a person.

Lead Detective: Appointed by the Major Investigations Lieutenant to serve as the main point of contact for a cold case investigation and responsible for all logistical and investigative aspects of the investigation to include the delegation of tasks to a support detective. Also serves in the capacity of a Family Liaison Officer throughout a cold case homicide or long-term missing person investigation.

Long-term Missing Person: Term for those persons whose whereabouts have been unknown for an extended period of time. There is no standard definition of such persons, and the length of time involved. The totality of the circumstances shall be considered in making this determination.

Support Detective: Appointed by the Major Investigations Lieutenant to assist the lead detective with logistical and investigative aspects of a cold case investigation.

PROCEDURES

42.8.1 COMPOSITION OF THE COLD CASE INVESTIGATION UNIT

- A. The Major Investigations Lieutenant shall be responsible for the overall management and oversight of the Cold Case Investigation Unit and a Major Investigations Sergeant will be responsible for the direct supervision of the Cold Case Investigation Unit.
- B. The review and investigative process requires the efforts of detectives with varied abilities, skills, and experience. The Major Investigations Lieutenant shall select an experienced detective to serve as the Lead Detective and support detectives to serve on a part-time basis to assist the Lead Detective, with approval through the chain of command to the Chief of Police. The procedures established in Standard Operating Procedure 16.2 Specialized/Extra Duty Assignments shall be followed in selecting members of the Cold Case Investigation Unit.
- C. Throughout a cold case homicide or long-term missing person investigation, the Lead Detective serves as the Family Liaison Officer to the family members of the victim which entails:
 - 1. Obtaining background information on the victim and family members.
 - 2. Providing information to the family regarding the legal process.
 - 3. Providing information to the family regarding police investigative procedures.
 - 4. Ensuring the family receives the appropriate information.
 - 5. Advising the family on the progress of the investigation.
 - 6. Advising the family on services provided by community partners, as needed.
 - 7. Fostering a relationship based on transparency and trust with the victim's family members.

42.8.2 CASE SELECTION AND VICTIM NOTIFICATION

- A. To be considered for a cold case investigation, the criteria is as follows and priority shall be given to cases where the statute of limitations is close to expiring.
 - 1. Identified as a homicide, sexual assault, long-term missing person, or unidentified human remains.
 - 2. Has remained unsolved for at least three years with the potential to be solved through newly acquired information or advanced technologies
 - 3. The statute of limitations for each criminal offense potentially applicable to the case has not expired, and the case has not previously reached a final judicial disposition.

- B. Upon identification of cases meeting the above criteria, detectives shall then determine whether the case meets additional criteria. To qualify, at least three of the below criteria must be present, unless exigent circumstances exist.
1. Evidence exists that can potentially provide leads through additional forensic analysis or other investigative means.
 2. Victim(s) and/or critical witnesses are available, and other essential evidence exists.
 3. The case has a named suspect or person(s) of interest.
 4. New information.
 5. Data base hits; new connection between a crime and the subject.
 6. Community interest.
- C. The Lead Detective shall complete a Cold Case Review Form for cases that meet the above criteria and are eligible for a cold case investigation. This form shall be signed through the chain of command to the Investigations Commander. Refer to Appendix A to view the Cold Case Review Form or use the following link to access this form. [Access the Cold Case Investigation Review Form](#)
- D. Upon approval of the cold case investigation, the Lead Detective shall contact the victim or if the victim is deceased, their family members to provide notification that the case was reopened for further investigation.
1. Victims and their families shall be informed of what it means for their case to be designated a cold case and educated on the case review process and the individuals assigned to the cold case investigation.
 2. If the family prefers not to have the case re-opened for investigation, the Lead Detective shall document the request and the case is then considered closed.
- E. Detectives who were part of the original investigation shall be excused from the cold case investigation to minimize the potential impact of conflict of interest; however, they can be consulted to provide information.

42.8.3 COLD CASE INVESTIGATION

- A. All cold case investigations are confidential, and the release of any information shall not occur without the approval of the Chief of Police or designee.
- B. Throughout the cold case investigation, detectives should seek the support of the respective state's attorney's office to identify and address legal concerns; the coroner or medical examiner's office to identify new evidence; and forensic experts to ensure evidence has been tested and/or analyzed using the newest technology.
- C. Detectives may collaborate with the victim and their families to acquire additional case-related facts, information, or details of current interest that may not have been discovered or documented during the original investigation.
- D. The following shall also be completed during the investigation:
1. All case-related documentation and electronic media, including police reports, crime scene photographs, and third-party records such as medical records, cell phone records and financial records, etc. shall be gathered by detectives.

2. Identify and obtain all referenced evidence and records not included in the original case file such as hospital/autopsy reports, business records, crime scene photographs, etc.
 3. Determine the identities of critical witnesses, their current locations, and contact information. The consistency, credibility, and completeness of the information they provide shall be considered.
 4. Obtain an updated background information (criminal, biographical, and social history) for all critical witnesses, persons of interest, and suspects.
 5. Review case-related physical evidence and determine its present nature and condition. Locations outside the Property Evidence Room may entail collaboration with the respective state's attorney's office, ISP laboratory or the coroner or medical examiner's office.
 6. Determine the whether the chain of custody is intact and if gaps exist, detectives should consider ways in which the gaps may be addressed.
 7. Ensure physical evidence has been tested/analyzed with the latest available forensic technology, methods, and interpretive knowledge and expertise.
 8. An updated detailed victimology shall be established to include all updated and available biographical information and history on the victim using current technology and social media platforms. As it relates to long-term missing persons or unidentified remains, follow all investigative leads to verify that the individual is still missing, etc.
 9. Determine whether one or more persons of interest are named in the case file and determine if any previous investigation has been conducted regarding that person or persons. Implement standard investigative procedures to gather additional information about the subject.
- E. Throughout the cold case investigation, detectives shall adhere to the provisions established in Standard Operating Procedures 42.1 Criminal Investigations Administration and 42.2 Criminal Investigations Operations.
- F. Each case presents a unique set of circumstances; however, there are commonalities in what the investigative files should contain. Refer to Appendix B to view Sample Contents of an Investigative Case File which lists items that should be considered as part of the cold case file.

42.8.4 IDENTIFICATION OF A SUSPECT

- A. If a suspect has been identified during the investigation, a police report shall be completed using the current police report number to document the date, reason, and circumstances under which the case was reopened.
- B. If a suspect has been arrested and criminal charges are imminent, the Lead Detective shall contact the victim or the victim's family to notify them of the impending charges. This shall be completed prior to the release of any information to the media outlets. Collaboration with the state's attorney's office shall be maintained to ensure the release of information conducted after the victim and family members have been notified.

42.8.5 CASE CLOSURE

- A. Cold case investigations may be closed for several reasons that include:
1. Clearance by arrest or issuance of a warrant.
 2. Exceptional clearance: Reasons for exceptional clearance include the suspect's death; the victim's refusal to cooperate; the victim's death; cases in which charges against a

juvenile offender are not pursued in the interests of justice; and circumstances such as statute of limitations are beyond the control of the department that prevent an arrest.

3. Unfounded: Examples include cases determined to be suicide, accident, non-criminal homicide, or the false report of a crime.
4. Inactive: In these cases, the investigation is dormant, but the case has not been formally closed because a suspect has not been developed.

B. Detectives shall complete a police report documenting the reason for closing the case.



42.8.6 RE-ASSIGNMENT OF PERSONNEL

The victim and family members shall be notified when their case has been re-assigned to a different Lead Detective or Support Detective. Doing so will ensure communication is maintained between the department, the victim and/or family members.

42.8.7 TRAINING

The department is committed to ensuring members of the Cold Case Investigation Unit receive training to improve investigative techniques and prosecutorial efforts needed to successfully decipher unresolved and cold cases. Knowledge of essential investigative, forensic and prosecution methodologies is an integral part of solving cold cases. Upon assignment to the Cold Case Investigations Unit, detectives shall familiarize themselves with the mandatory and suggested training outlined in the job description and collaborate with the Training Division to secure and recommend the necessary training.

APPENDIX A: COLD CASE SELECTION FORM

 Cold Case Selection Form	
Date of Completion *	
<input type="text"/>	
Submitting Detective *	
<input type="text"/>	
Year Case Initiated *	
<input type="text"/>	
Case Report Number *	
<input type="text"/>	
Name of the Victim *	
<input type="text"/>	
Section 1: Case Information that Supports a Cold Case Investigation	
Select the nature of the crime *	
<input type="radio"/> Homicide	
<input type="radio"/> Sexual Assault	
<input type="radio"/> Long-term Missing Person	
<input type="radio"/> Unidentified Human Remains	
Has the statute of limitations expired *	
<input type="radio"/> Yes	
<input type="radio"/> No	
<input type="radio"/> Close to expiring	
Has the case remained unsolved for three years *	
<input type="radio"/> Yes	
<input type="radio"/> No	
Explain the exigent circumstance	
<input type="text"/>	


☐ Yes

☐ No

- ☐ Evidence exists that can potentially provide leads or forensic analysis or other investigative matters
- ☐ Victim(s) and/or critical witnesses are available and other essential evidence exists
- ☐ The case has a named suspect or person(s) of interest
- ☐ New information
- ☐ Database hits; new connection between a crime and the subject
- ☐ Community interest


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Section 2: Availability of Investigative Items

Are detectives who previously worked this case available

☐ Yes ☐ No

Has this case ever been re-visited

☐ Yes ☐ No

Are all police reports available

☐ Yes ☐ No

Are all case investigations/field notes accounted for

☐ Yes ☐ No

Does a complete index of all names associated with the case exist

☐ Yes ☐ No

Did witnesses show any deception

☐ Yes ☐ No

Are key witnesses living

☐ Yes ☐ No

Are the locations to key witnesses known

☐ Yes ☐ No

Are current and available leads exhausted

☐ Yes ☐ No

Are all laboratory reports available

☐ Yes ☐ No ☐ NA

Are crime scene photographs available

☐ Yes ☐ No

Are additional photographs from the crime laboratory available

☐ Yes ☐ No

Is crime scene video available

☐ Yes ☐ No

Is a crime scene sketch/diagram available

☐ Yes ☐ No

Is a crime scene description available

☐ Yes ☐ No

Has physical evidence been inventoried recently

☐ Yes ☐ No

Has physical evidence been examined by the current detective

☐ Yes ☐ No

Were any polygraphs administered

☐ Yes ☐ No

Section 3: Current Victimology

Is a photograph from the time of the offense available

☐ Yes

☐ No

DOB



Age

Address

Aliases

Marital status - at the time of the crime

Living arrangements - at the time of the crime

Occupation - at time of the crime

Employer - at time of the crime

Gender

Height

Weight

Race

Hair color

Facial hair

Eye color

Social Security number

State identification number

FBI number

Dental characteristics

Description of clothing, jewelry, glasses, scars, marks and tattoos

Lifestyle at the time of the crime

Did the victim's lifestyle contribute to the crime

- ☐ Yes
☐ No

Was the victim suspected to be involved with other crimes

- ☐ Yes
☐ No

Was the victim part of an associated group, organization or gang affiliation

- ☐ Yes
☐ No

☐ Yes

☐ No

Was a VICAP entry made

☐ Yes

☐ No

☐ Yes

☐ No

☐ Yes

☐ No

☐ Yes

☐ No

Is there a suspect or person of interest

☐ Yes

☐ No

☐ Yes

☐ No

T B I U [bulleted] [numbered] [left-align] [right-align] [center-align] [justify-align] [link] [unlink]

Is the current location of the suspect/person of interest known

- ☐ Yes
- ☐ No

DNA known sample obtained

- ☐ Yes
- ☐ No

CCIC Work-up QH/DL/Photo

- ☐ Yes
- ☐ No

Suspect Interview Conducted

- ☐ Yes
- ☐ No

Section 5: Sexual Component to the Crime

Was there or could there be a sexual component of the crime

- ☐ Yes
- ☐ No

Section 6: Evidence

Were the victim's fingerprints recovered

- ☐ Yes
- ☐ No

Were the offender's fingerprints recovered

- ☐ Yes
- ☐ No

Was biological evidence recovered

- ☐ Yes
- ☐ No

Was trace evidence recovered

- ☐ Yes
- ☐ No

Were bite marks identified

- ☐ Yes
- ☐ No

Were other pattern injuries noted

- ☐ Yes
☐ No

Were any impressions identified

- ☐ Yes
☐ No

Use the space below to provide additional evidence information as part of this review

Section 7: Weapon Information

Was a specific weapon identified

- ☐ Yes
☐ No

Section 8: Press Releases/Media Assistance

Did the department seek assistance from the media outlets

- ☐ Yes
☐ No

Section 9: Potential Legal Concerns

Are there potential legal concerns

- ☐ Yes
☐ No

Submitting Detective's name^{*}

Submitting Detective's Signature^{*}

Sign

Name of Cold Case Team Sergeant

Submit

APPENDIX B: SAMPLE CONTENTS OF A COLD CASE INVESTIGATION FILE

Sample Contents of a Cold Case Investigations File

Ambulance/Medical Records	Property & Evidence Reports
Arrest Reports	Related Crime Reports
Chain of Custody Records	Supplemental/Follow-up Reports
Chronological Record	Vehicle Reports
Crime Lab Reports	Video/CCTV
Crime Scene Log	Suspect Information:
Crime Scene Notes/Diagrams	<i>Statements</i>
Crime Scene Photographs	<i>Arrest Warrant</i>
Death Report	<i>Photographs</i>
DNA	<i>Probation/Patrole Status</i>
Eliminated Suspects	<i>Criminal History Record</i>
Latent Prints	Victim Information:
Medical Examiner's Report	<i>Statements</i>
Miscellaneous Computer Print-outs	<i>Photographs</i>
Miscellaneous Notes	<i>Background Information</i>
Officer at Scene Reports/Notes	<i>Probation/Parole Status</i>
Photo Line-ups	<i>Criminal History Record</i>
Police Reports	