

Review of the Philadelphia Police Department's Homicide Investigation Process

Findings and Recommendations January 2019

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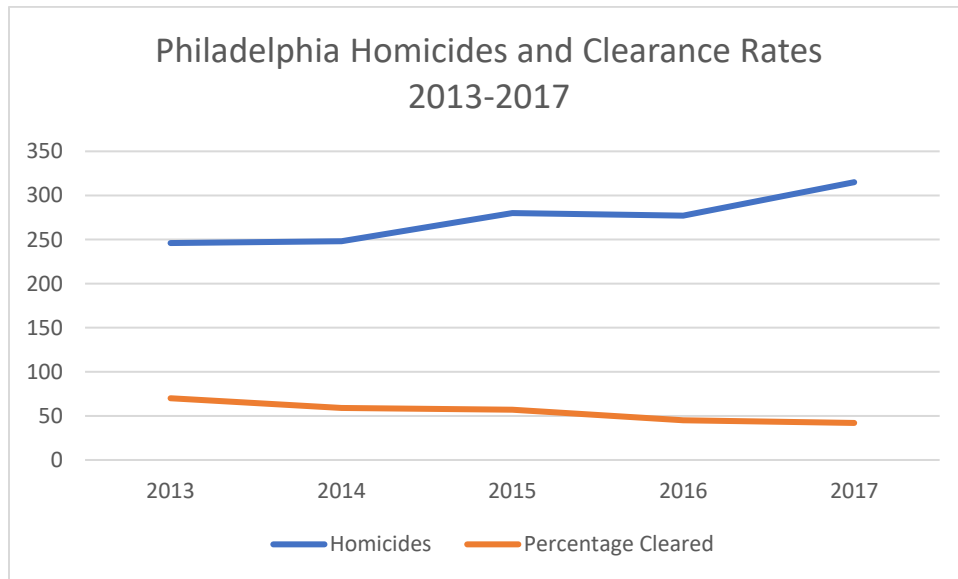


Executive Summary

Investigating homicide cases is a critical function of a local police agency. The loss of a human life due to violence is the worst type of crime not only to the victim, but also to the victim's family and loved ones and to the entire community. To ensure that justice is served and communities feel safe, police agencies must assign the highest priority to identifying and apprehending the perpetrators of these crimes.

In 2014, the Police Executive Research Forum (PERF) was selected by the U.S. Justice Department's Bureau of Justice Assistance (BJA) to implement and manage the Homicide Investigations Enhancement Training & Technical Assistance Project. As part of this project, PERF has been conducting comprehensive assessments of the homicide investigation policies and practices in a number of police departments across the country and is helping each site to implement strategies to strengthen its homicide investigation function. The project sites were chosen based on specific criteria, including: a recent rise in homicide rates, homicide clearance rates that are decreasing and/or below the national average, and a commitment of police department leaders to improve homicide investigation procedures.

The Philadelphia Police Department (PPD) requested PERF's assistance to identify factors that could account for increases in homicide clearance rates. As the chart below shows, the number of homicides in Philadelphia has generally been increasing since 2013, when there were 246 murders.¹ That figure rose to 315 in 2017 and continued to increase in 2018. Preliminary data show that there were 344 homicides in 2018.²



¹ Philadelphia Police Department data provided to the FBI as the final Uniform Crime Report (UCR) numbers. Available at: <https://www.phillypolice.com/crime-maps-stats/index.html>.

² 2018 Crime Stats Report. Available at: <https://www.phillypolice.com/crime-maps-stats/>.

At the same time, the clearance rate has been declining.³ In 2013, the PPD cleared 70 percent of homicide cases, higher than the national average of 66 percent.⁴ The clearance rate dropped to 59 percent in 2014,⁵ to 57 percent in 2015,⁶ to 45 percent in 2016,⁷ and to 42 percent in 2017.⁸

PERF began its review of the PPD's homicide investigation policies and practices in February 2018 and conducted two site visits in March 2018. The PERF assessment team was comprised of law enforcement practitioners and researchers with expertise and experience in homicide investigations. The review included the following:

- Onsite interviews with 46 PPD personnel from across the department, including executive command staff, detectives and supervisors from the Investigations Bureau, patrol officers and supervisors, the Crime Scene Unit and Office of Forensic Science, and emergency communications staff;
- Interviews of a prosecutor from the Philadelphia Office of the District Attorney and the chief investigator from the Philadelphia Medical Examiner's Office;
- Review of the PPD's written directives, the Homicide Unit's standard operating procedures (SOPs), homicide logs, sample intelligence reports, organizational charts, sample crime reports, and clearance data.

The PPD leaders and personnel interviewed by PERF were cooperative, forthcoming, and eager to make positive changes to improve the homicide investigative process. These dedicated and experienced professionals have a strong commitment to reducing violence and solving homicide cases, and the recommendations in this report seek to build upon this solid foundation.

Though the recommendations in this report are tailored to the Philadelphia Police Department, many of them apply to police agencies throughout the country that are struggling with challenges that are similar to those PERF found in Philadelphia – rising homicide rates, stagnant or declining clearance rates, a lack of funding and staffing, gaps in training and supervision, outdated equipment and technology, etc. The problems faced by the PPD are not unique, and the goal of this report is to highlight strategies for ensuring that everyone involved with homicide investigations has the direction, support, and oversight they need to succeed.

Key Findings and Recommendations

The following is a summary of key findings and recommendations to strengthen the PPD's homicide investigation processes and improve homicide clearance rates. These recommendations are based on research and best practices for conducting homicide investigations.

- 1) **Written Policies and Procedures:** The SOPs governing the Homicide Unit—created in December 2017—fail to provide meaningful investigative guidance or accountability

³ It should be noted that in the City of Philadelphia, the decision to arrest and charge a person with homicide rests solely with the Philadelphia District Attorney's Office. Thus, the effectiveness of the Philadelphia Police Department's Homicide Unit should not be based solely on the homicide clearance rate.

⁴ Murder Accountability Project. Based on UCR data. Available at: <http://www.murderdata.org/p/blog-page.html>.

⁵ Murder Accountability Project. Based on UCR data. Available at: <http://www.murderdata.org/p/blog-page.html>.

⁶ Murder Accountability Project. Based on UCR data. Available at: <http://www.murderdata.org/p/blog-page.html>.

⁷ Data provided by the Philadelphia Police Department to PERF.

⁸ Data provided by the Philadelphia Police Department to PERF.

and do not address the Special Investigations Unit (SIU), which is responsible for investigating cold cases. In addition, many of the detectives interviewed were not familiar with the content of the SOPs. Creating a set of clear, comprehensive written policies is critical to strengthening the homicide investigation process. Detectives should be trained on the SOPs and held accountable for following the policies.

➤ **Recommendation – Update Written Policies:** The Homicide Unit should update the written SOPs to create a comprehensive set of policies and procedures governing homicide investigations. As part of this process, the PPD should examine written policies for all units involved in homicide investigations and other formal guidance that govern homicide investigations.

➤ **Recommendation – Revise Policy Content:** Policies should include detailed, substantive direction on topics such as: detectives’ duties and responsibilities; case file organization; detective selection and supervision; training; performance evaluations and other accountability mechanisms; and the steps that must be taken during each stage of the investigative process.

➤ **Recommendation – Disseminate Policies to Detectives:** The Homicide Unit should disseminate the updated policies to all detectives in the unit. Detectives should be required to certify that they have read and understand all new and updated policies.

➤ **Recommendation – Incorporate Best Practices into Policies:** Revised policies should incorporate the recommendations included in this report and current research on best practices for homicide investigations.

2) **Staffing and Caseload Management:** There are approximately 40 detectives in the Homicide Unit who receive active cases. With an average of 304 homicides per year since 2015, this results in an average of 7.6 cases assigned to each detective per year. However, some detectives reported working as many as nine or ten cases in a year. Data provided by the PPD show that most homicides occur Friday through Monday, between the hours of 8 p.m. and 4 a.m. Heavy caseloads can make it more difficult for detectives to thoroughly investigate open homicide cases.

➤ **Recommendation – Increase Staffing:** Although the shift schedule provides 24-hour coverage and there are more detectives assigned to night shift (8 p.m. – 4 a.m. or 12 a.m. – 8 a.m.) compared to the day (8 a.m. – 4 p.m.) and evening shifts (4 p.m. – 12 a.m.), the PPD should consider adding more detectives to Platoon 3 to handle the greater number of homicides that typically occur Friday through Monday, between 8 p.m. and 4 a.m. The staffing levels should be increased so that on average, each detective is the lead on no more than six new homicide cases per year. The Homicide Unit should attempt to fill vacancies as quickly as possible. The SOPs should provide supervisors with the authority to change assignments to reflect case complexity and the demands faced by each team, when needed.

3) Detective Selection and Training: Detectives entering the Homicide Unit generally have many years of investigative experience. However, newly assigned homicide detectives do not receive specific training on conducting death investigations, nor do they receive an orientation to the unit or formal on-the-job training. Advanced training opportunities are also very limited for experienced detectives.

- **Recommendation – Require Advanced Training for Homicide Detectives:** Detectives in the Homicide Unit should receive training – upon entering the unit and throughout their tenure in their unit – on advanced investigative techniques specific to conducting death investigations. In addition to the basic training required of all new detectives, Homicide Unit detectives should receive advanced training on investigative techniques, technology, case law, forensics and evidence collection, crime analysis, best practices for homicide investigations, and how to investigate specific types of cases handled by the Homicide Unit.
- **Recommendation – Strengthen On-the-Job Training:** The PPD should strengthen its on-the-job training (OJT) to ensure that new homicide detectives receive appropriate field training and mentoring. The Homicide Unit should develop a Detective Orientation Checklist and incorporate the checklist into the revised SOPs. Assigning new detectives to work on cold cases may help them learn at a reasonable pace without the heightened pressure of new cases.
- **Recommendation – Cross-Train with External Agencies:** The PPD should conduct joint training with external agencies such as the Philadelphia District Attorney’s Office and the Medical Examiner’s Office. Cross-training would improve communication between the agencies and establish a baseline of understanding of each agency’s requirements, responsibilities, and limitations with respect to homicide investigation and prosecution.

4) Supervision, Accountability, and Oversight: Homicide sergeants (and some lieutenants) are assigned to supervise platoons consisting of four to six detectives. However, there is no significant supervision or formal review of homicide investigations. The Homicide Unit also lacks mechanisms to thoroughly evaluate detective performance. Currently, detectives are evaluated on a pass/fail basis, but there is no investigator-specific evaluation process. The PPD should explore strategies to strengthen supervision and oversight with respect to how cases are investigated, managed, and documented. This includes implementing a consistent and rigorous supervisory case review process at the sergeant, lieutenant, and captain levels, and ensuring that cases are thoroughly documented. Implementing a thorough performance evaluation will not only serve to hold poorly performing detectives accountable, it will also allow supervisors to identify and recognize superior performance.

- **Recommendation – Establish Investigative Plan and Checklist:** At the outset of each case, Homicide Unit supervisors should work with detectives to establish a detailed investigative plan and formal case checklist. The investigative plan and checklist should become part of the official case file. Sample investigative plans and checklists should be included in the revised Homicide Unit SOP.

- ***Recommendation – Conduct Supervisory Case Reviews:*** Supervisors should conduct mandatory, regular case reviews for the purpose of identifying potential new leads, addressing any gaps in the detective’s investigative process, and updating the investigative plan. The review process should be outlined in the Homicide Unit SOP and should include reviews of the investigative plan and checklist, as well as the detective’s reports and case file documentation.
 - ***Recommendation – Revise Evaluation Process:*** The Homicide Unit should develop a supplemental evaluation form to assess whether each detective is conducting thorough investigations, performing all necessary case follow-up, and properly documenting all investigative tasks and findings.
- 5) Case Documentation and Organization:** Case documentation is insufficient within the Homicide Unit, making it difficult to properly review and follow up on cases. There is no checklist or table of contents to help guide detectives in preparing a case file. Case files are not stored securely within the office and occasionally get misplaced. In addition, PERF found evidence being stored in case files, including cell phones, keys, and a wallet.
- ***Recommendation – Establish Investigative Plan and Checklist:*** At the outset of each case, Homicide Unit supervisors should work with detectives to establish a detailed investigative plan and formal case checklist. The investigative plan and checklist should become part of the official case file. Sample investigative plans and checklists should be included in the revised Homicide Unit SOP.
 - ***Recommendation – Strengthen Documentation and Data Collection:*** The Homicide Unit SOPs should include directions on proper case documentation and required reporting. The SOPs should require that any actions taken during an investigation be documented in the case file. This includes actions taken by detectives not formally assigned to the case.
 - ***Recommendation – Protect the Integrity of Homicide Case Files:*** The Homicide Unit must ensure that case files are stored securely. Evidence and personal property should not be stored in the case file.
- 6) Office Space, Equipment, and Technology:** The Homicide Unit office space is inadequate and poorly configured. The area is inappropriate for detectives, as well as families, witnesses, and suspects who may come to the unit. Detectives also lack basic equipment and technology needed to perform their jobs efficiently and effectively, including individual workstations, computers, and department-issued cell phones. PERF understands that there are plans to move the PPD to new office space within the next few years. However, the PPD should address some of the more serious issues in the near term. Deteriorating office conditions and a lack of basic resources such as individual workstations and computers have a harmful effect on the productivity and performance of the Homicide Unit detectives.
- ***Recommendation – Invest in Upgrades to the Homicide Unit Office Space:*** The PPD should improve the office configuration and ensure that homicide detectives

have access to enough interview rooms in order to avoid interactions between victims/witnesses and suspects.

- **Recommendation – Invest in Technological Tools for Detectives:** The PPD should invest in essential office equipment and technology, including up-to-date desktop computers, individual work spaces, and WiFi throughout the building. The PPD should also invest in tools to expand the field capabilities of Homicide Unit detectives, including department-issued cell phones or tablets.

- 7) Evidence Collection and Analysis:** The PPD’s Office of Forensic Science (OFS) includes well-trained personnel, but some units are understaffed and lack up-to-date equipment and technology that would allow personnel to perform their duties more efficiently and effectively. Detectives occasionally process nonfatal shooting scenes because crime scene technicians are not available.

Digital Evidence: Additionally, homicide detectives are increasingly relying on digital evidence as part of their investigations. Although the PPD has the necessary tools and equipment to recover and process digital evidence, these services are performed in a decentralized and inefficient manner. With the proliferation of smartphones and other technologies, the nature of criminal investigations is becoming more complex and requiring additional time, resources, and training. It is imperative that homicide detectives have the means to efficiently process digital evidence, and that the procedures for doing so are documented in the SOPs.

- **Recommendation – Increase Staffing:** The PPD should attempt to fill the vacancies within the OFS units (e.g., Firearms Identification, Pattern Evidence) as quickly as possible, and should evaluate the staffing needs of the Crime Scene Unit to ensure that a crime scene technician is able to respond and process all nonfatal shooting scenes.
- **Recommendation – Evaluate Equipment and Technology Needs:** The PPD should evaluate the equipment needs of the OFS units to ensure that personnel have the equipment needed to perform their jobs efficiently (e.g., cameras, comparison microscopes, computers with high-definition video cards).
- **Recommendation – Invest in Digital Evidence Services:** The PPD must make a major investment in digital evidence collection, recovery, and analysis. For example, the PPD should streamline the provision of digital evidence services, notably the recovery and analysis of cell phone and video evidence. PPD should consider centralizing the provision of technical services in order to make the process more efficient. The PPD should also revise the written procedures that govern the collection and processing of digital evidence and incorporate those procedures into the Homicide SOP. Homicide detectives should receive training to understand the legal and technical issues regarding digital evidence.

- 8) Internal Coordination:** There is insufficient communication and coordination among the various units involved in homicide investigations and nonfatal shooting investigations

(e.g., patrol, other investigative units, the Intelligence Bureau), resulting in a lack of familiarity with the capabilities and resources provided by the other units.

- **Recommendation – Strengthen Information-Sharing Processes:** The PPD should take steps to improve the flow of information across all units within the department (e.g., patrol, the regional division detectives, the Special Investigations Unit that investigates nonfatal shootings, other investigative units, and the Intelligence Bureau). This includes coordinating regular training briefings, during which members of the various units could brief one another about their policies, protocols, capabilities, and missions.
 - **Recommendation – Provide Adequate Resources to Other PPD Units:** The PPD should take steps to ensure that all units involved in homicide investigations have the staffing, training, equipment, and technology they need to successfully complete their missions. This includes adequate staffing to prioritize and respond to nonfatal shooting incidents. It also includes up-to-date equipment needed to process digital evidence, which is increasingly critical to criminal investigations.⁹
 - **Recommendation – Prioritize Response to Nonfatal Shootings:** There are more than four times as many nonfatal shootings as fatal shootings in Philadelphia.¹⁰ The difference between a nonfatal shooting and a homicide is often merely a matter of marksmanship, and perpetrators in nonfatal shootings may be future perpetrators (or victims) in homicide cases. Thorough investigations of nonfatal shootings can therefore help to prevent future homicides, and all units involved in homicide and nonfatal shooting investigations must have the staffing, training, and equipment to ensure that detectives are able to respond and thoroughly investigate each incident. The Homicide Unit and the Special Investigations Unit, which is responsible for investigating nonfatal shootings, should work collaboratively to define the responsibilities of the detectives from both units.
- 9) External Coordination:** There is a lack of communication and coordination between the Homicide Unit and external agencies such as the Philadelphia District Attorney’s Office, the Medical Examiner’s Office, and the community as a whole. Strong relationships between these various groups can promote more effective homicide investigations. The services available to assist victims and witnesses are insufficient, potentially contributing to a reluctance among victims and witnesses of crimes to cooperate with the police.
- **Recommendation – Strengthen Coordination with the District Attorney’s Office:** Leaders from the PPD, the Homicide Unit, and the District Attorney’s Office should explore strategies for improving communication and coordination on homicide investigations. For example, prosecutors should be involved in cases at the beginning

⁹ Goodison, Sean E., Robert C. Davis, and Brian A. Jackson (2015), *Digital Evidence and the U.S. Criminal Justice System: Identifying Technology and Other Needs to More Effectively Acquire and Utilize Digital Evidence*, Washington, DC: RAND Corporation, the Police Executive Research Forum, RTI International, and the University of Denver. http://www.rand.org/content/dam/rand/pubs/research_reports/RR800/RR890/RAND_RR890.pdf.

¹⁰ Philadelphia Shooting Victims Data. Available at: <http://data.philly.com/philly/crime/shootings/>.

of the investigation. The PPD and the DA's office can also provide cross-training opportunities for detectives and prosecutors and should conduct weekly meetings to promote positive relationships, facilitate information-sharing, and discuss ongoing cases.

- **Recommendation – Strengthen Victims and Witness Services:** The PPD should work with the District Attorney's Office to improve services for victims and witness of crime, including witness protection and relocation efforts. The PPD may also want to collaborate with a local nonprofit organization, such as Families of Murder Victims,¹¹ to help identify barriers to cooperation and determine possible solutions for improving relationships.
- **Recommendation – Strengthen Coordination with the Office of the Medical Examiner:** The PPD should work with the Office of the Medical Examiner to develop clear policies and procedures regarding homicide response, transportation of homicide victims, and evidence collection. Homicide detectives should also routinely attend autopsies, which will allow for real-time information-sharing between the detective and forensic pathologist.

Moving Forward

PERF, with support from BJA, will provide ongoing technical assistance to help the PPD implement these recommended reforms. In addition to providing the PPD with guidance on best practices, PERF will work with BJA to establish a consortium of experts comprised of practitioners, trainers, researchers, and others experienced in homicide investigations, to provide training and technical assistance. PERF will also help connect PPD leaders with other police agencies that can provide peer-to-peer assistance with training, policy development, and the implementation of effective homicide investigation strategies.

¹¹ Families of Murder Victims, <http://avpphila.org/families-of-murder-victims-fmv/>.

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Introduction

In 2014, the Police Executive Research Forum (PERF) was selected by the U.S. Justice Department's Bureau of Justice Assistance (BJA) to conduct the Homicide Investigations Enhancement Training & Technical Assistance Project. As part of this project, PERF has been conducting comprehensive assessments of the homicide investigation processes in police departments across the country, recommending individualized strategies to improve homicide clearance rates, and providing ongoing technical assistance to help each site implement the recommendations.

Overview

This report summarizes PERF's review of the Philadelphia Police Department (PPD) and provides recommendations for addressing policy gaps and procedural weaknesses that potentially contribute to low homicide clearance rates. At the outset, two points should be noted.

First, the PPD leaders and personnel interviewed by PERF demonstrated a strong commitment to improving homicide investigations and protecting the safety of their community. The recommendations provided in this report seek to build upon this foundation and ensure that those involved with homicide investigations have the direction, support, and oversight they need to succeed.

Second, many of the challenges faced by the PPD are not unique. Although the recommendations in this report are tailored to the PPD, some recommendations could apply to police agencies throughout the country. Many other police agencies are struggling with similar challenges that can constrict how cases are investigated (e.g., reduced staffing, gaps in training and supervision, a lack of funding, outdated equipment and technology).

PERF recognizes that many of the recommendations included in this report will require long-term planning and implementation, as well as significant investments in additional staffing and resources. The conclusion of this report provides suggestions for some steps that the PPD can take to immediately strengthen its homicide investigation process. Additionally, PERF and BJA will continue to provide ongoing technical assistance to the PPD as it works to implement the recommendations in this report.

Given Philadelphia's increase in homicides over the last three years, it is more important than ever that these crimes be investigated thoroughly and according to best practices. Evidence suggests that thorough investigations not only help bring perpetrators to justice; they also help prevent future homicides by incarcerating repeat offenders and reducing retaliation killings.¹²

PPD leaders have demonstrated a continued commitment to positive change throughout the duration of this project. They have recognized that protocols for investigating homicides are not

¹² Carter, David L. (2013), Washington, DC: Bureau of Justice Assistance, available at http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

sufficient, and they are dedicated to adopting strategies to better protect members of the community.

Methodology

This review was conducted by an assessment team that included Lisa Mantel, a senior researcher for PERF, and three subject matter experts, including Ronal W. Serpas, a former chief executive of the New Orleans and Nashville Police Departments; George Kucik, a former homicide commander with Washington, D.C.'s Metropolitan Police Department; and Charles F. Wellford, a criminologist with more than 40 years of research experience, including extensive research regarding homicide investigations.¹³

Interviews: The assessment team conducted two site visits to the PPD in March 2018. Over the course of the two visits, the team members interviewed more than 40 PPD personnel, including: members of the executive command staff and training bureau; supervisors and detectives from the Homicide Unit, the Narcotics Unit, and the Criminal Intelligence Division; and patrol officers and supervisors. PERF also interviewed personnel from the Philadelphia Office of the District Attorney, and the Philadelphia Medical Examiner's Office. Each person interviewed was forthcoming and clearly committed to improving homicide investigations and doing what is best for the community.

Document and Data Review: The assessment team reviewed the PPD's written directives and standard operating procedures (SOPs) that govern the Homicide Unit, PPD's homicide clearance data, sample intelligence reports, organizational charts, sample crime reports, and clearance data.

¹³ See Appendix A for a list of the PERF assessment team members.

Homicide Unit Policies and Procedures

Finding: The Homicide Unit Standard Operating Procedures manual fails to provide meaningful investigative guidance or accountability. Most of the Homicide Unit detectives and supervisors were unaware of the manual’s existence or were unfamiliar with its contents.

Homicide Unit Standard Operating Procedures

In preparation for the site visits, PERF researchers and consultants were provided with copies of the Homicide Unit Standard Operating Procedures (SOPs), as well as specific Philadelphia Police Department Directives that are referenced in the Homicide Unit SOPs and govern the following topics:

Directive	Subject
4.1	Responsibilities at Crime Scenes
4.14	Victim and Witness Services
5.7	Search Warrants
5.15	Deaths – Natural and Sudden
5.23	Interviews and Interrogations – Rights of Individuals
5.24	Crime Scene Unit
10.1	Use of Force – Involving the Discharge of Firearms
12.4	Personnel Transfer Process
12.12	Investigation Report

There is no training and orientation policy or directive for newly assigned detectives. However, PERF was provided with a list of pre-promotional training courses for officers who have tested to promote to the rank of detective.

The PPD Homicide Unit SOP manual, which was created in December 2017, is a 21-page document that states the Homicide Unit’s mission, values, and goals. The SOPs describe the unit’s structure and include a policy that requires personnel to “adhere to all procedures set forth in this policy and the Police Directives and Memorandums established by the Philadelphia Police Department.” The procedures outline the basic steps that detectives and supervisors take upon notification that a homicide has occurred.

As currently written, the SOPs do not provide substantive guidance to detectives on their duties and responsibilities in a homicide investigation. For example, although the procedures outline the basic steps that detectives and supervisors take upon notification that a homicide has occurred, the SOPs lack substantive guidance on training and orientation, case assignment procedures, crime scene response, evidence collection and submission, reporting and

documentation, and supervision and accountability. The existing SOPs also do not include homicide investigation checklists, case review checklists, or guidance on organizing the case file. In addition, the SOPs are not numbered, and they lack headers or other markings to assist the reader in citing or navigating the procedures.

PERF's interviews revealed that many of the detectives and supervisors were unaware of the existence of the Homicide Unit SOPs. Those who were aware of the SOPs had not been trained on the policies and procedures contained within the document and did not use them to guide their investigations.

The Importance of Strong Written Policies and Procedures

Clear policies and procedures are critical for ensuring that detectives are aware of their duties and responsibilities and for ensuring that important investigative steps are not overlooked. And even the strongest policies can be made ineffective if personnel are not properly trained on their use and held accountable for following the policy requirements. The PPD Homicide Unit should have a comprehensive set of standard protocols to govern all the critical components of a homicide investigation, including step-by-step instructions for each stage of the investigation process. These protocols should be made clear to homicide detectives, and they should provide the basis for evaluating detectives' performance and ensuring that cases are investigated thoroughly and consistently.

Homicide investigations necessarily involve personnel from across the department, including patrol officers, crime analysts, and detectives from other units, as well as personnel from organizations outside of the PPD, including the Medical Examiner's Office and the Philadelphia District Attorney's Office. **Therefore, updating and revising the Homicide Unit SOPs will require consultation not only with other PPD units, but also with other organizations involved in homicide investigations.** The effort to update these policies should be coordinated and collaborative across the department. Specific policy recommendations for other units and organizations can be found in Recommendations 39-72 of this report.

Recommendations: Homicide Unit Policies and Procedures

- ***Recommendation #1:*** The PPD should ensure that all written SOPs that govern homicide investigations are updated to provide clear and comprehensive guidance on the duties and responsibilities of Homicide Unit personnel.
 - Relevant homicide unit policies, directives, SOPs, and checklists should be compiled into a user-friendly manual that is distributed to all members of the Homicide Unit (*see Recommendation 3*).
 - The Homicide Unit Manual should include a set of standard policies and protocols for conducting homicide investigations, and should prominently feature a detailed, step-by-step description of actions to be taken at each stage of the investigation process. The manual should also include mechanisms for ensuring that homicide unit personnel are properly supervised and held accountable for their performance.

- The Homicide Unit Manual should include detailed guidance and direction regarding the following topics:
 - The specific duties and responsibilities for homicide unit lieutenants, sergeants, and detectives.
 - The process for selection into the Homicide Unit, including the qualifications that candidates must meet, the process for applying to serve in the Homicide Unit, and the criteria used for selection. (*See Recommendations 18-20*).
 - Training requirements for both newly-assigned and veteran Homicide Unit detectives (*See Recommendations 21-25*).
 - The process for assigning cases to detectives. (*See Recommendations 7, 14*).
 - Policies regarding how shifts will be organized and staffed. (*See Recommendations 8-9*).
 - Personnel leave policies.
 - Overtime policies, including how overtime is authorized.
 - Crime scene response, including who will respond and the required time frame for responding.
 - Each step that must be taken at the crime scene, including securing and managing the scene, conducting the initial canvass for witnesses, identifying and collecting evidence, and communications between detectives, supervisors, and other personnel at the scene. The manual should clearly state who is responsible for each task and should provide detailed information regarding how each task should be completed.
 - Protocols on who should attend autopsies.
 - Protocols for securing witnesses, transporting witnesses from the scene to the homicide unit, and interviewing witnesses.
 - Protocols for submitting evidence for forensic analysis, including chain of custody requirements, the process for requesting forensic testing, and procedures for following up on results. Policies should include accountability mechanisms for ensuring that detectives follow up on leads generated by forensic test results. (*See Recommendations 39-45*).
 - Protocols for enlisting the help of the PPD Public Affairs Digital Image Video Response Team to share still and video images with the public via social media (e.g., Facebook, Twitter, YouTube). (*See Recommendation 67*).

- The required reports that must be completed throughout the duration of each investigation, and a detailed description of when each report must be submitted, what it must include, and who is responsible for completing and reviewing each report. (*See Recommendations 27-28*).
- A list of all forms and reports that must be included in the case file. (*See Recommendations 26-28*).
- The process for securing and accessing case files and case information.
- The procedure for supervisory case review, including the time frame for each review, a checklist of items for review, and how the review should be documented. (*See Recommendation 28*).
- Requirements for case follow-up, and how the follow-up will be documented.
- The process for detective and supervisor evaluations, including when evaluations will be conducted, the criteria used for evaluation, and how evaluations will be documented. (*See Recommendations 29-31*).
- Protocols for handling special cases, such as an officer-involved shooting or a mass casualty event.
- Other topics as identified by agency leaders.

➤ **Recommendation #2: The Homicide Unit Manual should be organized so that information is presented clearly and in a way that is easy to follow.**

- The manual should be divided into clearly-marked sections and include a detailed Table of Contents.
- The homicide investigation checklist should be featured prominently.
- The manual should only include policies and procedures that are directly related to homicide investigations, and the guidance should be specific to the Philadelphia Police Department. Policies and procedures that are only indirectly related to homicide investigations should be removed from the Homicide Unit Manual and presented to personnel in a separate format.
- Sample checklists and reports should be presented with context so that detectives understand their relevance and how to complete required tasks.

➤ **Recommendation #3: All current homicide unit personnel should be given a copy of the Homicide Unit Manual, and new personnel should be given a copy of the manual upon their arrival to the unit.**

- Supervisors should review the manual with homicide unit detectives, and detectives should be held accountable for following the policies and procedures contained in the manual as part of their performance evaluations.
- **Recommendation #4: All written general orders, policies, SOPs, and other guidance governing the Homicide Unit should reflect current best practices for homicide investigations. When developing policies, the PPD should look to research-based practice guides and consult with police agencies that have demonstrated successful investigative practices.**
 - Appendix C includes a list of resources that detail best practices for homicide investigations and other investigative policies and practices. PERF can also provide PPD with sample policies.
- **Recommendation #5: The Homicide commander should assemble a team to assist the development of homicide investigation policies. The team’s role would be to provide input on policy changes, to share ideas for strengthening the investigation process, and to discuss strategies and next steps for policy implementation.**
 - This team should include leaders from units that are involved in homicide investigations, such as:
 - The Homicide Unit (the team should include detectives and sergeants, in addition to the commander and lieutenant)
 - Patrol
 - Crime Analysis / Real Time Crime Center
 - District Detective Units
 - Forensic and Crime Scene Units
 - Other investigative units (e.g., Vice, Narcotics, Robbery)
 - District Attorney’s Office
 - Medical Examiner’s Office
 - Other personnel as identified by agency leaders.

Recommendation #6: In addition to revising the SOPs governing the Homicide unit, the PPD should review the current written policies and procedures for each agency unit that supports homicide investigations (e.g., Division Detectives, Forensics), and draft or update the policies as needed.

Homicide Unit Staffing and Caseload Management

Finding: The Homicide Unit is understaffed, and the resulting heavy caseloads (an average of seven cases per year) make it difficult for detectives to thoroughly investigate, document, and follow up on open cases.

Homicide Unit Structure, Staffing, and Responsibilities

The Homicide Unit is comprised of three investigative line platoons, the Special Investigations Unit (SIU) (which is the designated “cold case” unit), and the Fugitive Investigations Unit (FIU) (which is responsible for apprehending homicide fugitives). More information about these units is provided later in this section. The Homicide Unit also includes command support staff who are responsible for preparing statistical analysis and reports, and includes the Victim’s Assistance Officer and Aide to the Captain.

There are approximately 40 detectives split among the three platoons who are available for assignment to incoming homicide cases. The SIU is staffed by 14 detectives, and the FIU is staffed by 10 detectives.¹⁴

PERF was advised that the Homicide Unit is responsible for investigating all murders and suspicious deaths. The SOPs indicate that Homicide Unit personnel are responsible for investigating sudden and suspicious deaths (per Directive 5.15) as well as “extraordinary occurrences in cellblocks” (per Directive 5.4). A separate unit within the PPD is responsible for investigating officer involved shootings, but the SOPs provide that Homicide Unit personnel will assist the Officer Involved Shooting Investigation unit when directed. PERF was advised that child deaths are investigated by the Special Victims Unit.

Homicide Unit Shifts and Case Rotation

Homicide Unit Shifts

In preparation for the site visit, PERF was provided with the 2018 schedule for homicide detectives. The three line platoons each have three squads (A, B, and C) with four to six detectives in each squad. Platoons 1 and 2 rotate every two weeks between days (8 a.m. to 4 p.m.) and evenings (4 p.m. to midnight).¹⁵ Platoon 3 is permanently assigned to night shift, and the squads work either 8 p.m. to 4 a.m. or midnight to 8 a.m. All squads work five shifts in a row, followed by two days off, then four shifts in a row, followed by two days off, and then repeats. This provides coverage 24 hours a day, seven days a week.

The following table provides a snapshot of the shift schedule and coverage on a particular day.

¹⁴ The staffing numbers are approximate due to personnel changes (e.g., transfer, promotion). Detectives who are close to retiring may enter the Deferred Retirement Option Plan (DROP), which lasts for four years. When detectives in DROP have one year remaining, they are removed from the case assignment rotation.

¹⁵ PERF learned during the assessment that detectives previously rotated through all three shifts, but that a lawsuit resulted in the department establishing a permanent night shift.

Platoon	Squad	Shift	Number of Detectives
1	A	4 p.m. - 12 a.m.	Four detectives, one sergeant
	B	Off	Four detectives, one lieutenant
	C	4 p.m. - 12 a.m.	Five detectives, one sergeant
2	A	8 a.m. - 4 p.m.	Four detectives, one sergeant
	B	Off	Four detectives, one lieutenant
	C	8 a.m. - 4 p.m.	Four detectives, one sergeant
3	A	8 p.m. - 4 a.m. OR 12 a.m. - 8 a.m.	Six detectives, one sergeant
	B	8 p.m. - 4 a.m. OR 12 a.m. - 8 a.m.	Five detectives, one lieutenant
	C	Off	Six detectives, one sergeant
Total	8 a.m. - 4 p.m.		Eight detectives, two sergeants
	4 p.m. - 12 a.m.		Nine detectives, two sergeants
	8 p.m. - 4 a.m. OR 12 a.m. - 8 a.m.		11 detectives, one sergeant, one lieutenant

Data provided by the PPD indicate that most homicides occur Friday through Monday, between 8 p.m. and 4 a.m. In 2014, homicides occurred most often on Sunday, followed by Friday. In 2015, homicides occurred most often on Monday, followed by Saturday. And in 2016, homicides occurred most frequently on Sunday, followed by Saturday. **The Homicide Unit should increase the staffing levels to ensure there are enough detectives available for incoming cases on Friday through Monday, between 8 p.m. and 4 a.m.**

Case Assignment

Homicide cases are assigned to a detective based on a rotation. The detective works cases with a partner, but during the initial stages of the investigation, other detectives may also be involved as the Homicide Unit works the case as a team. The sergeant assigns detectives specific

assignments (e.g., respond to the scene/hospital, remain at the station to interview witnesses, prepare a search warrant), which allows them to handle the priority tasks in a timely manner.

The shift schedule and case rotation system appear to work well for Homicide Unit detectives. The detectives with whom PERF spoke did not have complaints about their shift schedules or the case assignment procedure. However, there are no policies governing shift schedules and case assignment included in the Homicide Unit SOPs. The Homicide Unit SOPs should be revised to address these topics.

Homicide Unit Caseloads

Since 2015, the City of Philadelphia has averaged 304 homicides each year.¹⁶ With approximately 40 detectives in the homicide unit who receive active cases, each detective is therefore the lead on an average of 7.6 cases per year. In 2017, the number of cases assigned to detectives ranged from one to nine.¹⁷ In 2016, the number of cases assigned to detectives ranged from one to ten.¹⁸ During PERF's assessment, one detective reported receiving twelve new cases as the primary detective during his first year in the homicide unit.

While the current shift schedule provides 24-hour coverage, the PPD should consider adding more detectives to Platoon 3 to handle the greater number of homicides that typically occur Friday through Monday, between 8 p.m. and 4 a.m.

Additionally, due to normal attrition, such as retirement or promotion, and the fact that vacancies are not filled as detectives leave the unit, there are fewer homicide detectives available to work cases. This results in increased caseloads for detectives who remain in the Homicide Unit.

According to a landmark guide on best practices for homicide investigations published by the DOJ Bureau of Justice Assistance, research has found that **a homicide unit is optimally staffed when each detective is the lead investigator on no more than four to six new homicide cases per year.** (These numbers may vary depending on the solvability of cases; for example, a detective can handle more cases of types that are typically quicker to solve, such as murder-suicides).¹⁹

The guideline of four to six new cases is recommended to allow detectives to thoroughly investigate new homicide cases, while still giving them time to perform other duties, such as following up on cases from prior years, acting as a secondary investigator on other homicide cases, testifying in court, attending training, and performing administrative duties.²⁰

¹⁶ Philadelphia Police Department data show that there were 280 homicides in 2015, 277 homicides in 2016, 315 homicides in 2017, and 344 homicides in 2018.

¹⁷ Data provided by Philadelphia Police Department.

¹⁸ Ibid.

¹⁹ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf. It is important to note that this recommendation is not an empirically established number, but rather a guidepost. The actual number will depend on the nature of the homicide involved, and whether it is a case that can be cleared quickly.

²⁰ Ibid.

Excessive caseloads can limit the progress of investigations in several ways. First, having large caseloads can make it difficult for homicide detectives to thoroughly investigate any single case for a very long period of time. This is especially true when detectives are assigned to multiple new cases in a row, or within a short time frame. When detectives must stop investigating a current case to start investigating a new one, they can lose the opportunity to be proactive and quickly follow up on important investigative leads.

Second, large caseloads may make it difficult for detectives to assist on investigations to which they are not directly assigned. If homicide unit detectives have time to help each other on investigations, tasks can be completed more thoroughly and efficiently. Increased collaboration can also help improve the quality of investigations by ensuring that each case is regularly seen by a fresh set of eyes.

Third, heavy caseloads make it difficult for detectives to perform tasks in a timely manner, which research shows can be an important factor for clearing homicide cases.²¹ For example, one study found that there is a relationship between case clearance and whether detectives arrive at a crime scene within 30 minutes of the initial call.²² This same study also found a relationship between case clearance and whether detectives attend the post-mortem examination.²³ Detectives may have a difficult time responding within this 30-minute window or attending autopsies when they are called out to another case or are overwhelmed with other work.

Recommendations: Homicide Unit Staffing and Caseload Management

- **Recommendation #7: The Homicide Unit should develop written policies and detailed guidelines governing case assignment.**
 - These policies should be included in the revised Homicide Unit Manual. The manual should also include the yearly shift schedule. (*See Recommendations 1, 14*).

- **Recommendation #8: The Homicide Unit should increase the number of detectives available for assignment to incoming cases to ensure that each detective is the lead on no more than four to six new homicide cases per year. This recommendation is based on best practices²⁴ and on concerns that an increase in detectives' caseloads can be related to a decline in clearance rates.**
 - Data provided by the PPD indicate that most homicides occur Friday through Monday, between 8 p.m. and 4 a.m. In 2014, homicides occurred most often on

²¹ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf; Wellford & Cronin (1999), <https://www.ncjrs.gov/pdffiles1/jr000243b.pdf>.

²² Wellford & Cronin (1999), <https://www.ncjrs.gov/pdffiles1/jr000243b.pdf>.

²³ Ibid.

²⁴ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf. Although BJA's best practices guide recommends that detectives serve as the lead on an average of three to five new homicide cases per year, this number may be difficult for many agencies to achieve given limited resources for hiring additional detectives. This is why PERF recommends four to six cases at a maximum.

Sunday, followed by Friday. In 2015, homicides occurred most often on Monday, followed by Saturday. And in 2016, homicides occurred most frequently on Sunday, followed by Saturday. **In particular, the PPD should consider adding more detectives to Platoon 3 to handle the greater number of homicides that typically occur Friday through Monday, between 8 p.m. and 4 a.m.**

- **Recommendation #9: The PPD should take steps to fill vacancies in the Homicide Unit as quickly as possible.**
 - Some police agencies wait until a position in the homicide unit becomes vacant before advertising the position agency-wide. The problem with this approach is two-fold: (1) there is no overlap in which the retiring detective can train and mentor his or her replacement; and (2) there exists an avoidable delay in filling the position, thereby causing the unit to be temporarily understaffed.
 - To avoid this problem, the PPD should:
 - Maintain a list of personnel who are interested in joining the homicide unit, so that potential candidates can be engaged and prepared to apply once a vacancy is announced.
 - Announce the vacancy as soon as possible when it is anticipated (e.g., due to impending retirement of a homicide detective). This will help enable the new detective to receive on-the-job training prior to the departure of the experienced investigator.
 - If collective bargaining agreements limit the PPD's ability to implement needed changes, the PPD should seek to amend those agreements.
- **Recommendation #10: The PPD should consider equipping Homicide Unit detectives with laptops, tablets, smartphones, or other devices that would enable them to perform tasks while in the field. Detectives are not issued cell phones and do not have individually assigned desktop computers, laptops, or tablets. This would help them perform their jobs more efficiently and reduce the amount of time traveling from the field to the office.**
 - For additional information regarding useful resources for homicide units, *see Recommendation 38.*

Special Investigations Unit – The Cold Case Unit

Finding: As currently designed and implemented, the Special Investigations Unit (SIU) does not have a formal, systematic process for determining which cases it will take, and does not provide the meaningful case review and quality assurance functions that are critical to the success of the Homicide Unit. There are no written policies or SOPs

governing the SIU, no standard criteria or time frame to determine when cases become inactive, and no criteria for determining which cases the SIU will investigate.

According to the Homicide Unit SOPs, the SIU is responsible for investigating cold cases, as well as high-profile or sensitive cases, as determined by the Homicide Unit captain. The Homicide Unit SOPs indicate that the SIU is also responsible for:

- Increasing the clearance rate by conducting follow-up investigations;
- Assisting the line squads, as needed;
- Focusing on investigations that indicate a pattern; and
- Acting as a liaison and coordinating information-sharing with Field Detective Divisions and other agencies.

If a case has been active for two years and all investigative leads have been exhausted, a final case review is scheduled with the next of kin. The SOPs do not specify who from the Homicide Unit schedules or attends this meeting. During the final case review, family members are provided with a comprehensive review of the investigative actions taken and are given an opportunity to provide investigators any additional information that may be helpful to the case. The SOPs state that there will be no further contact from investigators unless new information is developed.

Data provided by the PPD show that in 2017, the SIU was staffed by 14 detectives who were assigned a total of 43 cases (an average of three cases per detective). In 2016, the SIU was staffed by nine detectives who were assigned 23 cases (an average of 2.5 cases per detective). However, there are no policies in the SOP describing *how* cold cases are assigned to the SIU.

PERF's interviews revealed confusion among homicide unit personnel on how cases are transferred to the SIU. One detective said that SIU receives cases that have not been solved or if the case originated as a shooting originally handled by the detective division where the incident occurred.²⁵ Another interviewee reported that the SIU only takes cases that are close to being solved, but the detective originally assigned does not have the time to complete the case. Others reported that SIU detectives support the line squads and often receive new homicide cases. There are two detectives within the SIU who are specifically assigned to work on cell phone and video extraction.

Without established policies, the SIU lacks strategy and focus. A well-functioning cold case unit can offer several benefits.²⁶ For example, solving cold homicide cases and bringing perpetrators to justice can raise morale within the department, strengthen the community's trust and satisfaction in the police, and most importantly, provide a sense of justice and resolution to the victim's family.²⁷ A cold case unit can also relieve the burden on detectives working active

²⁵ The Philadelphia Police Department's Investigation Bureau includes detective divisions in each of the six geographic regions: East, Northwest, Northeast, Central, Southwest, and South.

²⁶ Cronin, Murphy, Spahr, et al. (2007),

http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf.

²⁷ Ibid.

cases and serve as a quality assurance check on detectives by acting as an extra layer of case review.²⁸

However, these benefits cannot be fully realized unless the SIU is properly designed and implemented. Research has shown that an effective cold case process used in many police agencies involves the following general steps:

- Designating cases as inactive and eligible for transfer to the cold case unit after a set period of time;
- Screening eligible cases to rank their “solvability” based on an established set of criteria;²⁹ and
- Presenting the cases deemed most solvable to a team that includes cold case detectives, the original case detective, and prosecutors, who decide which cases should be investigated.³⁰

Recommendations: Special Investigations Unit

- ***Recommendation #11:*** The SIU should be rebuilt, with a new mission that emphasizes clearing cases and providing a reliable quality assurance check on homicide investigations.
- ***Recommendation #12:*** The Homicide Unit should develop written policies and protocols for the SIU and should include those in the Homicide Unit Manual. The SOPs should emphasize that the primary mission of the SIU is to clear cases and provide an additional layer of review for homicide cases.
 - The SOP should include:
 - The SIU’s mission;
 - The duties and responsibilities of the SIU’s detectives and supervisors;
 - The process for selecting detectives and supervisors for the SIU;

²⁸ Ibid.

²⁹ Research shows that certain factors are associated with the likelihood of clearing a cold case; for example, a cold case is more likely to be cleared if it involves the presence of a known suspect or motive during the initial investigation, while a cold case is less likely to be cleared if the victim is a drug user or if the cold case investigation was initiated at the request of a family member. Davis, Robert C., Carl Jensen, and Karin E. Kitchens (2011), Cold-Case Investigations: An Analysis of Current Practices and Factors Associated with Successful Outcomes, Washington, DC: RAND Corporation & the National Institute of Justice, http://www.rand.org/content/dam/rand/pubs/technical_reports/2011/RAND_TR948.pdf .

³⁰Cronin, Murphy, Spahr, et al. (2007), http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf.

- Any special training required for SIU detectives; and
 - The process for determining that a case is inactive and eligible for transfer to the SIU (for example, the SIU should not accept active cases with undeveloped leads).
- The written policy should incorporate research and best practices from successful cold case squads in other police departments. In addition to the resources listed in Appendix C, PERF will help the PPD identify additional resources, provide the department with sample policies, and connect the department with other police agencies and experts to provide peer-to-peer technical assistance and training.
- ***Recommendation #13:*** **The SIU should be assigned to the office of the Homicide Unit commander and should be led by a lieutenant. The SIU should primarily be staffed with top Homicide Unit detectives who have demonstrated outstanding performance and who express a desire to investigate cold cases.**
 - Though the SIU should primarily include top veteran Homicide Unit detectives, the PPD may also consider requiring newly-assigned Homicide Unit detectives to complete a rotation on the squad during their first year in the unit. Cold cases offer a valuable training opportunity because they can be worked at a more deliberate pace and can provide valuable lessons about the importance of thorough case investigation and documentation.
 - The PPD may also consider hiring retired detectives to assist with cold case investigations. For example, the Charlotte-Mecklenburg (NC) Police Department employs two retired detectives with homicide investigation experience to assist its Cold Case Unit, including a retired sergeant who secured more than \$3 million in grant funds to assist with hiring personnel, evidence testing, and prosecution.
- ***Recommendation #14:*** **The Homicide Unit should develop a formal process for determining which cold cases the SIU will review, based on research and best practices for conducting cold case investigations.**
 - Cases should be designated **inactive and eligible for transfer** to the SIU after a specified period of time. There is no universally accepted metric for when a case becomes cold, though many police agencies use the somewhat arbitrary threshold of one year.³¹
 - A case should only be designated as eligible for transfer if:
 - A detective is not currently working the case,
 - All leads on the case have been exhausted and documented, and

³¹ Ibid.

- The Homicide Unit supervisors and unit commander review the case and agree that the case is inactive.
 - Determining whether a case is eligible for transfer should be documented in the case file.
 - The SIU may consider developing a checklist to be used when evaluating a case’s eligibility for transfer.
- Once a case is designated inactive and eligible for transfer, a review team should analyze and rank the case based on established solvability factors.
 - Many police agencies use civilians to conduct the initial case screening and review.³² Civilian review teams may be comprised of retired law enforcement personnel, forensic laboratory technicians, professors, etc. Graduate student interns may also be able to provide administrative and organizational support (e.g., data entry and analysis, file organization).³³
 - The review team should use a standardized form to rank the case based on the solvability factors. For sample ranking forms, see the PERF/COPS Office publication, *Promoting Effective Homicide Investigations*, referenced in Appendix C.
 - Solvability factors that have been used in other police agencies include:³⁴
 - A suspect has been identified and is currently living.
 - Eyewitnesses have been identified, or a previously uncooperative witness has had a change of heart (and the witness or witnesses are available).
 - The presence of physical evidence such as DNA or fingerprints.
 - During the initial investigation, there was a known suspect or motive, there was witness identification, and/or there was physical evidence connecting a suspect to the crime scene.
- The review team should then present the case to a “cold case team” comprised of SIU detectives, the original case detective (if possible), prosecutors, and forensic

³² Cronin, Murphy, Spahr, et al. (2007), http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf.

³³ Ibid.

³⁴ Cronin, Murphy, Spahr, et al. (2007), http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf.

- scientists.³⁵ The cold case team should review the case, decide whether it should be investigated, and discuss an investigative plan.³⁶
- To help the PPD develop this process, PERF can provide additional resources and sample policies and can identify experts and police agencies with strong cold case units to provide peer-to-peer technical assistance and training.
- ***Recommendation #15:*** The PPD should explore grant funding opportunities to support the investigation of cold cases. Research has shown that this is a common source of funding for cold case units, and that the level of funding dedicated to a cold case squad can have a significant impact on the number of cases that the squad clears.³⁷
- One potential source of grant funding is through the U.S. Department of Justice's National Institute of Justice (NIJ), which funds initiatives for DNA testing and other programs related to cold case investigations. The National Clearinghouse for Science, Technology, and the Law (NCSTL) provides a list of DOJ resources for cold case units, including funding opportunities.
- ***Recommendation #16:*** The SIU should track metrics including the number of cases reviewed, the types of cases reviewed, and any weaknesses or other issues in the initial investigation uncovered during the review. The SIU should also track its clearance and conviction rates. This will help the PPD identify and address any gaps in performance moving forward.³⁸

Fugitive Investigations Unit

The Fugitive Investigations Unit (FIU) is responsible for tracking, locating, and apprehending all homicide fugitives. The Homicide Unit SOPs state that the FIU also serves as a liaison with outside agencies requiring assistance with investigations that have a connection to Philadelphia. Specifically, all FIU personnel are assigned to one of two Federal Violent Offender Task Forces—either with the United States Marshals Service or the Federal Bureau of Investigation.

When an arrest warrant has been issued but a suspect has not been arrested despite initial attempts, the FIU initiates a fugitive apprehension investigation. The Homicide Unit SOP describes the steps that the FIU investigator and supervisor must take in reviewing the documentation and working to arrest the suspect.

³⁵ Davis, Jensen, & Kitchens (2011), http://www.rand.org/content/dam/rand/pubs/technical_reports/2011/RAND_TR948.pdf; Cronin, Murphy, Spahr, et al. (2007), http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf.

³⁶ Ibid.

³⁷ Davis, Jensen, & Kitchens (2011), http://www.rand.org/content/dam/rand/pubs/technical_reports/2011/RAND_TR948.pdf.

³⁸ Davis, Jensen, & Kitchens (2011), http://www.rand.org/content/dam/rand/pubs/technical_reports/2011/RAND_TR948.pdf.

The SOPs also indicate that the FIU is responsible for maintaining, updating, and monitoring the website www.PhillyMostWanted.org. Citizens are able to submit anonymous tips via the website through an online form. When a suspect is arrested, the FIU updates the website to indicate that the person is no longer wanted.

According to the BJA guide, *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, it is important for case detectives to take an active role in locating witnesses and suspects for their cases, but it is also considered useful to have a specialized unit dedicated to tracking down witnesses and suspects in homicide cases.³⁹ **The FIU appears to be an effective use of homicide unit personnel because it allows detectives more time for case development and management.**⁴⁰ The PPD Homicide Unit should expand the responsibilities of the FIU to include locating critical witnesses as well as suspects in homicide cases. This requirement should be reflected in the revised Homicide Unit SOPs.

Recommendations: Fugitive Investigations Unit

- ***Recommendation #17:* The Homicide Unit should expand the responsibilities of the FIU to include locating critical witnesses as well as suspects in homicide cases.**

³⁹ Ibid.

⁴⁰ Ibid.

Detective and Supervisor Selection Process

***Finding:* The Homicide Unit lacks a written policy governing the selection process for detectives and detective supervisors. Although the PPD provides a department-wide test every two years for officers who wish to be promoted to detective, the transfer process to the Homicide Unit is not based on objective criteria and does not include a practical, scenario-based written exercise that may help identify the best candidates.**

Every two years, the PPD offers a multiple-choice test for police officers interested in promoting to the rank of detective. The test accounts for 90 percent of the ranking, and seniority is factored in for the other 10 percent. Officers who pass the test and are eligible for promotion are ranked and placed on a list and then assigned to a five-week pre-promotion training program in numerical order. Each officer is promoted to detective after completing the pre-promotion training.

Homicide Unit detectives typically gain experience working in the Detective Division for four to five years before they request a transfer to the Homicide Unit. Directive 12.4 (Personnel Transfer Process) delineates the process by which a detective may apply for a transfer to a specialized unit within the department. The officer submits a transfer request to his/her lieutenant, who then documents the officer's arrest activity, sick leave, and service points (e.g., personnel earn points for years of service, education, etc.). The lieutenant then forwards the request to the commanding officer for a recommendation (e.g., highly recommended, recommended, or not recommended). Officers who are highly recommended are then interviewed by a panel consisting of either two supervisors from the specialized unit or a supervisor and the unit commander, plus a supervisor from the Transfer Review Board. To receive the transfer, the applicant must be unanimously approved by the panel.

With the exception of Directive 12.4 described above, there is no written policy that specifically governs the selection process for detectives or supervisors into the Homicide Unit. According to PPD personnel, the commanding officer of the Homicide Unit submits a written recommendation for the transfer of the candidates who the commanding officer believes are most suitable. Applicants are then interviewed by a panel, and the homicide captain makes the final selection.

Personnel told PERF that Homicide Unit detectives are often informally asked about potential candidates. There is nothing inherently wrong with asking Homicide Unit personnel about applicants. However, the transfer process to the Homicide Unit must be transparent and objective, so that all members of the department believe that the process is fair and open to all applicants.

Best Practices for Detective and Supervisor Selection

One of the most important steps in building a successful homicide unit is ensuring that the unit is staffed with qualified, dedicated personnel.⁴¹ While police agencies take several different

⁴¹ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

approaches to choosing homicide detective and supervisors, the most effective approaches all involve a formal selection process and clear criteria for selection.⁴²

The first step in staffing a qualified homicide unit is to develop a formal job description that clearly outlines the duties and responsibilities of a homicide detective or supervisor. This description should be included in the Homicide Unit SOP and should be posted when vacancies become open.

Next, the agency must develop the set of criteria that it will use for selecting homicide detective and supervisor candidates. The criteria should be clearly stated in written policy. Many agencies require candidates for the homicide unit to have prior investigative experience, usually as a detective in another unit that investigates crimes against persons.⁴³ The Bureau of Justice Assistance guide, *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, states that the optimum training and preparation for the position of homicide investigator is at least three years as a patrol officer, and at least two years as an investigator with general investigative experience.⁴⁴

Candidates for the Homicide Unit should undergo a formal application process that includes submitting a resume, demonstrating writing abilities (through written tests and/or the submission of writing samples), and being interviewed by homicide unit supervisors.⁴⁵ The application process should be consistent for all potential candidates and formalized in written policy.

Recommendations: Detective and Supervisor Selection

- ***Recommendation #18:*** **The PPD should establish a rigorous, formal process for selecting detectives into the Homicide Unit. The process should be based on a set of established qualification criteria that are stated in written policy and are consistently applied to all candidates. The PPD should ensure that external, subjective influences are minimized when selecting detectives into the Homicide Unit.**
 - PPD's revised detective selection process should include the following components, which are based on best practices outlined in BJA's best practices guide and the judgment of PERF's subject matter experts:
 - Develop a formal job description for homicide detectives that clearly and comprehensively states the required duties and responsibilities. This description should be formalized in the written policy and should be posted when vacancies occur.
 - Develop a set of standard criteria for candidate selection. Candidates should be ranked based on the criteria, which should include:

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

- Prior investigative experience, as a detective in another unit and/or a patrol officer. Many successful homicide units select detectives from an applicant pool of detectives in other units, with a preference for candidates with experience investigating crimes against persons (aggravated assaults, shootings, robberies, etc.);⁴⁶
- Past performance conducting investigations, as assessed through reviewing the candidates' case files and performance evaluations;
- A desire and commitment to working homicide cases;
- Other criteria as determined by agency leaders.
- The selection process should require candidates to undergo a formal, rigorous application that may include:
 - Submission of a resume;
 - Demonstration of writing ability, through submission of writing samples, written tests, and/or a scenario-based written exercise;
 - An oral interview with a diverse panel that includes homicide unit supervisors and leaders outside the homicide unit;
 - A review of the applicant's current case files.
- Candidates should be ranked on the above criteria and selected through a formal process based on this ranking.
- Criteria for selection to detective should be clearly stated in written policy.
- If necessary, police executives should work with the local bargaining unit to revise the collective bargaining agreement that governs detective selection.

➤ **Recommendation #19: The PPD should establish and enforce a formal probationary period (e.g., 90-120 days) for newly-selected homicide detectives before they are assigned full time into the Homicide Unit. This would allow candidates and supervisors to determine whether the unit is a good fit for the new detective.**

- In addition to a probationary period for newly-selected Homicide detectives, some police agencies provide opportunities for patrol officers and investigators in other units to be temporarily detailed to the Homicide Unit to assist with investigations. This gives personnel outside the Homicide Unit an opportunity to gain homicide investigation experience, and it also allows members of the unit to evaluate whether the person may be a good candidate for the Homicide Unit.
- BJA's guide on best practices for homicide investigations provides several examples of agencies that have used temporary details on homicide investigations:

⁴⁶ Ibid.

- The San Diego Police Department has a “Homicide Relief” program, in which detectives in other units are placed on an on-call list to assist in a homicide investigation when the homicide unit is short on personnel. The detailed detective works with a homicide detective through the duration of the case.
- In San Diego and Denver, whenever there is a drug- or gang-related homicide, an investigator from the appropriate drug or gang unit is assigned to the homicide investigation team on the case for up to 72 hours, depending on the status of the case and the facts. Or if it appears that a homicide is related to a previous nonfatal shooting, it could be useful for the District Detective Unit (DDU) detective who investigated the earlier shooting to assist homicide detectives in the investigation.
- In another example, the Baltimore County Police Department assigns the initial responding patrol officer at a homicide scene to the homicide investigation team for the first 48-72 hours of the investigation. The officer often is able to provide local knowledge that can assist homicide detectives, and the assignment can help give insight into whether the officer would make a good homicide detective.

➤ **Recommendation #20: The PPD should implement a formal process for selecting homicide unit supervisors (sergeants, lieutenants, and commanders). The process should be stated in written policy and consistently applied for all candidates.**

- The criteria used to select homicide unit sergeants and lieutenants should include:
 - A background in criminal investigations, though not necessarily in the Homicide Unit;
 - Demonstrated leadership skills;
 - The ability to effectively manage personnel.
- The criteria used to select the homicide unit Commander should include:
 - Prior supervisory experience in an investigative unit (though not necessarily the homicide unit);
 - A clear vision for the direction of the homicide unit;
 - A reputation as a strong and respected leader.
- Strong problem-solving skills and experience with fixing problems in departmental units.

Investigations Training

***Finding:* The five-week pre-promotion training course for candidates being promoted to detective lacks a death investigation component. Additionally, there is no mandatory training for detectives upon assignment to the Homicide Unit. Advanced training opportunities for experienced detectives are limited.**

Officers eligible for promotion to detective are assigned to a five-week pre-promotion training program that is provided through the PPD's Training Bureau. The training covers numerous topics, including:

- Mapping and analysis for investigations
- Special Victims Unit
- Criminal Intelligence Unit
- Social media for investigators
- Forensics
- Search and seizure
- Media relations / public affairs
- Internal Affairs
- Real Time Crime Center
- Major crimes
- Sequential identification
- Narcotics testing and processing
- Digital evidence
- Interviews and interrogations
- Victim services
- ATF firearms analysis

The training also includes 16 hours where the officer is paired with a veteran detective for a one-day workshop and practical exercise. The officer is promoted to detective after completing the pre-promotion training. **Notably, the pre-promotion training does not include a specific component on conducting death investigations.**

Homicide detectives typically work for several years as a detective in one of the six regional divisions in another investigative unit prior to transferring to the Homicide Unit. Thus, homicide detectives have many years of experience both in patrol and in investigations. **However, upon assignment to the Homicide Unit, detectives are not routinely given additional mandatory training specific to conducting homicide investigations.** There was an exception in 2017 where 11 newly assigned homicide detectives attended a one-week basic homicide investigations course through the International Homicide Investigators Association.⁴⁷ PERF learned that the PPD plans to send additional homicide detectives to this training, but the course is only offered sporadically, and the next course will not be held until late 2019 or early 2020.

⁴⁷ See International Homicide Investigators Association website, <https://www.ihia.org/>.

Moreover, there is no advanced training for homicide detectives provided by the PPD. Some homicide detectives received training from outside the department, but this was not consistent among all detectives. In addition, it was up to the detectives to report outside training to the Training Bureau in order to document the detective's training record (called QIST). The bulk of the training provided to homicide detectives was on-the-job training (OJT). There are no policies governing training and orientation for homicide detectives.

Formal Investigations Training

It is critical that investigators – particularly those in a homicide unit – receive consistent, formal, and comprehensive investigations training. Training should be offered both to new and veteran investigators.

All detectives, particularly those investigating homicide cases, must be equipped with the knowledge and skills to conduct thorough investigations.⁴⁸ Police agencies must ensure that detectives acquire these tools through comprehensive formal investigations training, along with rigorous on-the-job training.

All new detectives assigned to any investigative unit (not only the homicide unit) should receive basic investigations training. This training gives detectives the knowledge and skills they need to work general investigations, and ensures that detectives selected into a homicide unit are well-versed in basic investigative techniques.⁴⁹ This training should cover departmental policies and procedures, investigative techniques, case management and documentation, interrogations and interviews, report writing, the use of databases and other technology, basic forensics, legal requirements for obtaining warrants, how to testify in court, and other investigative responsibilities that are applicable to all crimes.⁵⁰

Detectives who have been newly assigned to a homicide unit should receive additional formal training on homicide investigations. This training should include courses on topics such as death investigations, advanced interview and interrogation techniques, advanced evidence collection and forensics, preparing cases for court, and best practices for conducting homicide investigations.⁵¹ It may also be helpful if training for newly-assigned homicide detectives includes refresher courses on basic investigation techniques, particularly if investigations training is not consistently provided to new detectives.

In addition to the training they receive when joining a homicide unit, homicide detectives should receive regular, ongoing training that covers legal updates, new technologies, new policies and procedures, and specialized courses such as the recovery of digital evidence.⁵²

⁴⁸ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

On-the-Job Training and Mentoring

The BJA guide to homicide investigations, *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, recommends that detectives who are new to a homicide unit be assigned to a seasoned investigator for field training and mentorship for at least three months.⁵³ The BJA guide stresses that on-the-job training (OJT) should go beyond a new detective merely “shadowing” a veteran detective. Rather, OJT should be a true mentorship in which the veteran detective provides direction and advice, and reviews the new detective’s notes and reports to ensure they meet quality standards.⁵⁴

Additionally, OJT should follow a formal curriculum that includes metrics to evaluate whether detectives have met the required milestones before joining the homicide unit full time. This will help ensure that training is consistent across the unit and that detectives are learning proper protocols. To facilitate the adoption of formal, consistent standards, some police agencies have developed an OJT manual that is similar to the manual that guides field training for new officers.

Recommendations: Investigations Training

- ***Recommendation #21:* All newly-assigned homicide detectives should be required to receive formal training on topics related to homicide investigations.**
 - Training should be mandatory, consistent for all homicide detectives, and focused on establishing skills and techniques needed to conduct effective homicide investigations. Training should be offered shortly after a detective is first assigned to the Homicide Unit.
 - If newly-assigned homicide detectives are unable to attend the International Homicide Investigators Association basic homicide investigations course within the first year of assignment, they should receive supplemental training offered either internally or by an external training provider.
 - The training requirements should be documented in the revised Homicide Unit Manual. (*See Recommendation 1*).
 - The training for newly-assigned homicide detectives should include:
 - Death investigations;
 - Advanced interview and interrogation techniques;
 - Conducting bias-free investigations;

⁵³ Ibid.

⁵⁴ Ibid.

- Updates on legal requirements for searches and seizures;
 - Advanced forensics and evidence collection;
 - Advanced computer and cell phone forensics;
 - How to prepare homicide cases for court;
 - Steps that detectives can take to reduce the potential for wrongful convictions, such as how to properly record witness statements and assess and utilize eyewitness testimony and other evidence;
 - Investigating specific types of cases handled by homicide detectives, (for example, in-custody deaths, mass casualty scenes, arson deaths); and
 - Best practices for conducting homicide investigations.
- Advanced training for new homicide unit detectives should take place within the detectives' first year in the unit. For example, the San Diego Police Department requires new homicide detectives to complete five weeks of advanced training within a year of joining the homicide unit. In Houston, new homicide detectives must complete 128 hours of training within the first year of assignment.
- **Recommendation #22: All Homicide Unit detectives, including experienced detectives, should receive regular, ongoing training relevant to conducting homicide investigations.**
- Ongoing training should include updates on topics that are evolving, such as technology, forensic analysis, legal standards and requirements, and the policies and protocols of other Philadelphia Police Department units and external agencies involved in homicide investigations.
 - For example, the volume and breadth of digital evidence available to investigators has expanded rapidly with the advent of technology, including the wide range of information contained on most people's smartphones.⁵⁵ Homicide detectives should understand the types of evidence available to them and the process for retrieving and analyzing such evidence (*see Digital Evidence section and Recommendations 43-46*).
 - Training should also include refresher courses for trainings that detectives may have previously received.

⁵⁵ Police Executive Research Forum (2018). *The Changing Nature of Crime and Criminal Investigations*, Washington, D.C. Available at <http://www.policeforum.org/assets/ChangingNatureofCrime.pdf>. See also, Goodison, Sean E., Robert C. Davis, and Brian A. Jackson (2015), *Digital Evidence and the U.S. Criminal Justice System: Identifying Technology and Other Needs to More Effectively Acquire and Utilize Digital Evidence*, Washington, DC: RAND Corporation, the Police Executive Research Forum, RTI International, and the University of Denver, available at http://www.rand.org/content/dam/rand/pubs/research_reports/RR800/RR890/RAND_RR890.pdf.

- **Recommendation #23:** To help detectives prepare homicide cases for prosecution, the PPD should collaborate with the Philadelphia District Attorney's Office to provide training to detectives on the requirements for search warrant and arrest warrant applications, case documentation, proper report writing, and legal updates.
 - The PPD should also consider ways to improve coordination and collaboration with the District Attorney's Office. For example, in New York City, prosecutors are on call and routinely respond to the scene of homicides. Prosecutors are then assigned to the homicide case, and they prepare the required subpoenas and search warrants as the investigation proceeds (*See Recommendations 61-63*).
- **Recommendation #24:** To improve the homicide investigation process, the PPD should ensure that additional training is available to detectives that covers specialized areas (e.g., blood spatter analysis, conducting infant death investigations, the use of a particular type of technology, etc.).
- **Recommendation #25:** The Homicide Unit should strengthen its on-the-job (OJT) training to ensure that new homicide detectives receive appropriate and comprehensive field training and mentoring.
 - Upon selection to the Homicide Unit, new detectives should be partnered with a veteran homicide detective for three to six months prior to becoming a primary detective on a homicide case.
 - The veteran detective should have a field training officer (FTO) certification.
 - The Homicide Unit should develop an OJT guidebook similar to the FTO guidebook used with new recruits, which contains standardized policies and procedures for OJT. The guidebook should contain a checklist of the duties required by the OJT trainer, including requirements for reviewing new detectives' reports and notes for quality assurance. The guidebook should also include benchmarks that new homicide unit detectives must meet before they are assigned full time to the Homicide Unit.

Supervision, Accountability, and Oversight

Findings: The Homicide Unit lacks mechanisms for ensuring that detectives are properly supervised and evaluated by their supervisors. Detectives are evaluated on a yearly basis using a department-wide pass/fail assessment, but there is no investigator-specific evaluation process.

In addition, there is no formal case planning or review system to ensure that cases are being thoroughly and effectively investigated. Implementing these accountability mechanisms is critical to strengthening the Homicide Unit.

Leadership and Supervision

Bureau of Justice Assistance (BJA) guidance states: “Integrity and accountability should be the foundation and guiding principle for all investigations.”⁵⁶ Accordingly, it is important that homicide detectives receive effective supervision and have a clear set of standards to follow.⁵⁷ Agencies should pride themselves on investigations that are “high-quality, consistent, thorough, and well-managed.” For example, BJA guidance states: “Having and maintaining a system (e.g., standard operating practices, case management system, case file checklist, etc.) ... is paramount to quality homicide investigations. Without such, it becomes a subjective, inconsistent process open for additional criticism and skepticism.”⁵⁸

Strong and innovative leadership at all levels in a homicide unit is necessary for improving investigative practices. The unit’s top leaders must be open to new ideas, dedicated to making positive changes, and willing to listen to concerns and advice from inside and outside of the unit.

The sergeants who serve as front-line supervisors play a critical role within a homicide unit. Ideally, sergeants are in the best position to provide guidance to detectives, to review and provide feedback on cases, and to evaluate and address any performance issues. In some homicide units, however, sergeants face challenges that make it difficult to perform these important functions. For example, some homicide units are so understaffed that sergeants feel it is necessary to serve as an “extra” detective. When this happens, sergeants may spend more time investigating cases and performing detective duties than fulfilling their supervisory roles.

Many detectives and supervisors in the PPD’s Homicide Unit appear to be talented and committed to their work. However, the Unit lacks proper accountability for both detectives and supervisors. Based on PERF’s interviews, it appears that detectives and supervisors who

⁵⁶ *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. U.S. Department of Justice, Bureau of Justice Assistance (2013). Available at: http://www.iir.com/Documents/IACP_Homicide_Guide.pdf.

⁵⁷ Cronin, James M., Gerard R. Murphy, Lisa L. Spahr, et al. (2007) *Promoting Effective Homicide Investigations*, Washington, DC: The U.S. Department of Justice’s Office of Community Oriented Policing Services and the Police Executive Research Forum, http://www.policeforum.org/assets/docs/Free_Online_Documents/Homicide/promoting%20effective%20homicide%20investigations%202007.pdf

⁵⁸ *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. Bureau of Justice Assistance (2013). Available at: http://www.iir.com/Documents/IACP_Homicide_Guide.pdf.

underperform are not held accountable for their actions. None of the people PERF interviewed could recall a detective being removed from the Homicide Unit for poor performance.

Many interviewees pointed to the current collective bargaining agreement as a barrier to taking action against poorly performing detectives. But supervisors should be expected to lead and properly manage their subordinates. This includes the use of progressive discipline (e.g., written documentation, appropriate and graduated warnings and counseling, corrective training) with underperforming employees.

Implementing a thorough performance evaluation program will not only serve to hold poorly performing detectives accountable, it will also allow supervisors to identify and reward innovation and superior performance.

Supervisory Case Review

In addition to case documentation, consistent and formal supervisory case review should be a standard part of the homicide investigation process. Supervisory case review is one way to ensure that detectives are properly supervised and that there is adequate oversight of case documentation, management, and investigation.

According to the Homicide Unit SOPs, an initial case review occurs when the Commanding Officer is provided an update in preparation for reviewing active investigations during CompStat meetings. Active cases are again reviewed by the assigned detective, a supervisor from that platoon, the Commanding Officer, and his designee after 30 days, 180 days, and at the one-year mark.

Case review focuses on the following areas:

- Investigative steps taken to that point
- The detective's plan for moving the investigation forward
- Any need for assistance from outside units
- Compliance with policy and SOPs
- Patterns/potential links to other cases.

There is no requirement to document the results of the case review in the case file.

The PPD's Homicide Unit SOPs also state that if a suspect or person of interest has been developed, but there is not probable cause for an arrest, this information will be provided to Criminal Intelligence at the one-year mark. The SOPs do not state what follow-up activity is expected to occur, if any. If a case has been active for two years and all investigative leads have been exhausted, a final case review will be scheduled with the victim's next of kin. Again, the SOPs lack specificity and do not indicate who schedules the meeting or who from the Homicide Unit attends the meeting.

There is a wide variance in how and when case reviews are performed. In interviews with PERF, detectives and sergeants reported that case reviews primarily occur verbally and on an informal basis. Some interviewees reported that after responding to a scene, they debrief to determine next steps and to delegate tasks (although these discussions are not documented in case files).

One sergeant stated that he conducts a two-week case review with the investigator, administrative lieutenant, and captain, and then another case review two weeks later. Other interviewees were unfamiliar with the case review process outlined in the SOPs. Interviewees also reported that detectives are required to complete an Activity Sheet (i.e., a running log of tasks) whenever a case is updated or a detective completes a “significant” task. The Activity Sheets are supposed to be maintained in the case file and a copy disseminated to the administrative lieutenant, the Homicide Unit captain, and department leaders.

The Homicide Unit should institute a formal case review system as soon as possible. The reviews should take place at specific intervals that are consistent in each case, for example, after 24 hours, five days, 10 days, two weeks, one month, three months, and every 30 days afterwards until the case is solved or all leads are exhausted. Without a formal review process, there is a risk that valuable leads may not be identified. Best practices require that supervisors carefully analyze investigations and be prepared to discuss next steps with the investigator. The results of the case review should be documented in the case file so they can be used as a guide for subsequent investigative activity and later reviews. The lack of a formal written case review compounds the problem of poorly performing employees. Without formal case reviews, it is difficult to hold underperforming employees accountable.

The following are general components that should be included in a case review process. These steps are discussed in more detail in Recommendations 26-28. Sample case review forms can be found in BJA’s publication *10 Things Law Enforcement Executives Can Do to Positively Impact Homicide Investigation Outcomes*.⁵⁹

- **Investigative Plan:** To start, as soon as possible after a detective receives a new homicide case, the detective should work with his or her supervisor to develop an investigative plan. The plan should include items such as a to-do list for steps that need to be taken and a rough timeline for completing them.
- **Case Checklist:** Each case file should also contain a standard case checklist form. The checklist should include basic investigative tasks that are applicable to most homicide investigations, and detectives should be required to note on the form whether they have completed each task, the date it was completed, and the reason for not completing any unfinished tasks.
- **Supervisor Case Review:** Supervisors should use the case checklist form as the primary basis to conduct case reviews at specified intervals throughout the investigation. Supervisors should also be trained to ensure that they are conducting substantive reviews, rather than simply marking items on a checklist.

⁵⁹ *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. Bureau of Justice Assistance (2013). Available at: http://www.iir.com/Documents/IACP_Homicide_Guide.pdf. Appendix B, “Sample Homicide Investigation Checklists.”

Performance Evaluation and Accountability Mechanisms

In order to promote accountability, it is important that police agencies regularly review and address employee performance issues. In many cases, performance evaluations are the only formal mechanism for assessing employee actions and behaviors, and thus they serve as an important tool for managing performance and ensuring that officers are held accountable.⁶⁰ Regular performance evaluations can also help supervisors proactively identify problems and take corrective action, such as recommending additional training or counseling.

When evaluating homicide unit detectives and supervisors, the focus should be on assessing whether cases are being thoroughly investigated and documented. Thus, evaluations of investigators – including homicide unit personnel – should include measures that go beyond the standard evaluation form used for all department personnel.

The PPD evaluates all employees, including detectives and sergeants, on an annual basis using a single evaluation form. The performance evaluation offers supervisors a binary choice when evaluating their subordinates—either satisfactory or unsatisfactory—and does not allow for gradation of performance. Interviewees reported that the PPD previously evaluated employees using a rating scale of 1-5, but that process was discontinued. The Homicide Unit should develop an evaluation system that specifically assesses detectives' performance in conducting homicide investigations. The Homicide Unit should develop a similar form to assess sergeants. If necessary, the PPD should work with the union to revise the evaluation process of detectives and supervisors.

Recommendations 29-31 below provide more details on what should be included in the evaluation process for homicide unit detectives and supervisors, as well as suggestions for how to address performance issues that arise.

Recommendations: Supervision, Accountability, and Oversight

- **Recommendation #26: At the outset of each new homicide case, Homicide Unit detectives, working with their supervisors, should develop a detailed investigative plan.**
 - The Homicide Unit SOPs should be revised to reflect this requirement. Sample investigative plans and checklists should be included in the revised Homicide Unit SOPs and should be part of the official case file.

⁶⁰ PERF (2015). *Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook*. Washington, DC: Office of Community Oriented Policing Services, <https://ric-zai-inc.com/Publications/cops-p331-pub.pdf>; PERF, *Critical Response Technical Assessment Review: Police Accountability – Findings and National Implications of an Assessment of the San Diego Police Department*, <https://www.sandiego.gov/sites/default/files/legacy/police/pdf/perfrpt.pdf>, see pp. 41-42 for a discussion regarding the importance of performance evaluations in police agencies.

- The plan should be developed by the lead case detective, along with the detective's sergeant and lieutenant. It should be developed as quickly as possible after the detective is assigned a new case.
 - The plan should include items such as:
 - A to-do list for steps that need to be taken;
 - A summary of existing leads, evidence, suspects, etc.;
 - A list of people and items for follow-up;
 - A rough timeline for completing each task.
 - The plan should be put in writing and should become part of the case file. The plan should be updated as needed.
- **Recommendation #27: The Homicide Unit Manual should include a standard case checklist form. The checklist should include basic investigative tasks that are applicable to most homicide investigations, and detectives should be required to note on the form whether they completed each task, the date it was completed, and the reason for not completing any unfinished tasks.⁶¹**
- The checklist should include a detailed list of steps that detectives should take during each phase of the investigation. It should cover items such as:
 - Steps taken at the crime scene (e.g., witness canvass, evidence collection);
 - Notifications made (to supervisors, other PPD units, external agencies, victims' families);
 - Attendance at the autopsy and collection of evidence from the Philadelphia Medical Examiner's Office;
 - Reporting (initial report and all supplemental reports);
 - Submission of evidence to the Office of Forensic Science for forensics testing;
 - Witness interviews;
 - Suspect interviews;
 - Follow-up on forensic test results.

⁶¹ See *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. Bureau of Justice Assistance (2013). http://www.iir.com/Documents/IACP_Homicide_Guide.pdf. Appendix B, "Sample Homicide Investigation Checklists."

- Follow-up with intelligence units (computer forensics, cell phone forensics, criminal analysts, etc.)
 - Other investigatory tasks, as outlined in the Homicide Division SOPs and in best practices guides.
- **Recommendation #28: Homicide Unit supervisors should conduct mandatory, regular case reviews for the purpose of identifying potential new leads, addressing any gaps in the detective’s investigative process, and updating the investigative plan.**
- The review process should be outlined in the Homicide Unit SOPs and should include reviews of the investigative plan and checklist, as well as the detectives’ reports and case file documentation.
 - The reviews should take place at specific intervals that are consistent in each case. (For example, after 24 hours, five days, 10 days, two weeks, one month, three months, and every 30 days after until the case is solved or all leads are exhausted.)
 - Supervisors should review specific items as part of the process, including:
 - The investigative plan
 - The case checklist
 - All reports filed
 - Witness statements and interviews
 - Suspect statements and interviews
 - Tips received and results from tips
 - All evidentiary findings and forensic test results.
 - Supervisory case reviews must be properly documented in the case files using standardized review forms.
- **Recommendation #29: To supplement the yearly department-wide evaluation of all employees, the PPD should establish a formal process for evaluating Homicide Unit detectives.**
- Evaluations should be designed to measure whether each detective is conducting thorough investigations, performing all necessary case follow-up, and properly documenting all investigative tasks and findings.
 - A thorough evaluation will allow supervisors to identify and hold poorly performing detectives accountable. It will also allow supervisors to identify and recognize superior performance.

- Formal evaluations should be conducted every six months. The detective’s sergeant should conduct the evaluation, and it should be reviewed by the homicide unit lieutenants and commander.
 - Each detective’s evaluation should be based on the following:
 - A review of the detective’s case files, including all reports, investigative plans, case checklist forms, witness statements, etc. The sergeant should ensure that all documentation is complete, up to date, and reflects thorough investigation and follow-up.
 - The detective’s clearance rates.
 - The sergeant’s personal assessment of the detective’s skills and abilities, based on the sergeant’s interactions and observations.
 - A self-assessment written by the detective, which may include items such as: accomplishments during the review period, challenges faced during the review period, areas for improvement, goals, etc.
 - Data on taking excessive leave, any disciplinary actions taken against the detective, any complaints filed against the detective, etc.
 - Agencies should develop a standard Homicide Unit detective evaluation form, which should be attached to the Homicide Unit manual. To help the PPD develop this process, PERF can provide the PPD with sample evaluation forms.
- **Recommendation #30: The Homicide Unit SOP should outline a formal process for evaluating Homicide Unit sergeants. The evaluations should measure whether each sergeant is properly supervising detectives, conducting regular case reviews, and providing appropriate guidance and direction to members of the squad.**
- Sergeants serve as supervisors first and foremost and should be held accountable for their performance as supervisors, not as detectives. The Homicide Unit should be staffed as fully as possible to avoid sergeants having to fill in as an “extra” detective.
 - Evaluations of sergeants should be conducted every six months. The sergeant’s lieutenant should conduct the evaluation, and it should be reviewed by the unit’s commander.
 - A sergeant’s evaluation should be based on the following:
 - A review of the case files from the investigators on the sergeant’s squad, including all reports, investigative plans, and case checklist forms. The lieutenant should ensure that all documentation is complete, up to date, and reflects thorough investigation and follow-up. This will serve as a check on

whether sergeants are conducting thorough case reviews and working with investigators, and will also serve as an additional check on the investigators.

- The sergeant's squad's clearance rates.
 - The case distribution among detectives on the sergeant's squad (cases should be evenly distributed among detectives).
 - The lieutenant's personal assessment of the sergeant's skills and abilities, based on the lieutenant's interactions and observations.
 - A self-assessment written by the sergeant, which may include items such as: accomplishments during the review period, challenges faced during the review period, areas for improvement, goals, etc.
 - Other employee evaluation criteria, such as taking excessive leave, any disciplinary actions or complaints filed against the sergeant, etc.
- Agencies should develop a standard Homicide Unit sergeant evaluation form, which should be attached to the Homicide Unit manual.

➤ **Recommendation #31: The Homicide Unit SOPs should include a formal process to provide additional training and assistance to underperforming detectives. If a detective's evaluation indicates a performance issue (e.g., poor case documentation, poor interview/interrogation skills, lack of follow-up with forensics), the PPD should consider implementing the following provisions:**

- The detective's sergeant should work with the lieutenant to identify the problem and create a written plan to address it. Absent significant disciplinary issues (untruthfulness, insubordination, etc.), the focus of the plan should be on offering guidance and direction, rather than discipline. The plan should:
 - Identify the problem(s)
 - Identify the cause(s)
 - Propose solutions, such as:
 - Additional training courses
 - Counseling, when appropriate
 - Mentoring or additional on-the-job training
 - Include a timeline to implement and evaluate the solution
 - Include the detective's acknowledgment and agreement with the proposed solution.

- The sergeant should discuss the issue and the proposed plan with the detective. The sergeant should keep written documentation of his/her actions and discussions with the detective.
- If the problems continue, or if the detective refuses to get additional training or follow the proposed plan, the detective should be removed from the Homicide Unit.
- **This process should be applied consistently for every detective.**

Case Documentation and Records Management

Case Documentation and Organization

Finding: Case documentation is insufficient in the Homicide Unit, making it difficult to properly review and follow up on cases. The case files reviewed by PERF included very limited documentation regarding investigative follow-up work; many leads were unaddressed or not documented within the file. PERF also found evidence (or personal property) in case files, including a wallet, a set of keys, a pair of gloves, and a cell phone.

Thorough case documentation is critical to homicide case investigation, management, and review. Without proper documentation, it is difficult to determine which leads have been followed, whether the case has been reviewed by a supervisor, what evidence has been collected and submitted for processing, and whether the detective is properly following up with witnesses, prosecutors, and lab results. Additionally, robust case documentation is necessary for a cold case unit to review and follow up on cases. Case files should also be well organized to assist in supervisory case review and, if necessary, transfer the case to a cold case unit.

The Philadelphia Police Department uses PIIN—the Police Integrated Information Network—for records management. PIIN includes police incident reports, investigative reports, discovery packages, and other documents created or collected during the investigative process. **However, PERF was told that the Homicide Unit is the only investigative unit within the department that is not fully integrated into the PIIN system.**

Instead, the Homicide Unit uses a variety of paper-based and electronic methods to build its case files. It was reported that each detective does things his or her own way; some are meticulous in organizing and maintaining their case files, and others are not. The Homicide Unit SOPs provide little guidance regarding case documentation and organization.

Homicide Unit personnel therefore lack substantive directions on proper case documentation, file organization, and required reporting. For example, there is no checklist or table of contents to help guide detectives in preparing a case file.

During the on-site assessment, PERF reviewed three randomly chosen case files that were between 90 and 120 days old. The case files were divided into sections via numerous manila envelopes, which were labeled and contained relevant information. The labeled envelopes included:

- Decedent Information
- Phone Extraction
- Office of the Medical Examiner (OME)
- Property Receipts
- Crime Scene Log/Notes
- Divisional Reports
- Photos/Phone Records
- Video
- H Record & Activity Sheets
- Search Warrants

The files included very little documentation regarding investigative follow-up work. Without proper documentation, it is difficult to understand the full scope and status of the investigation.

The files also contained personal property or evidence, including a wallet, keys, cell phones, and a pair of gloves. It was not clear whether the items belonged to a suspect, a victim, or a witness. The Homicide Unit SOPs contains a Captain's Order, dated September 6, 2017, reminding detectives that evidence should not remain in case folders "for unreasonable periods of time." **It is against best practices to store evidence in case files.**

The Homicide Unit should develop a template or checklist specifying exactly what must be included in the file and in what order. The Homicide Unit also should consider a more efficient method of organizing the case files. For example, detectives could use a 3-ring binder or a multi-section file folder, instead of including multiple separate envelopes in a case file.

Recommendations 32-35 provides suggestions for how to improve case file organization.

Electronic Documentation

Finding: The Homicide Unit lacks an efficient electronic records management system to maintain homicide case files.

One way to strengthen homicide case documentation is by linking homicide files to department-wide electronic records management systems and databases. **When a homicide unit's electronic files are linked to these systems – rather than simply being saved locally or to external hard drives – it can help detectives conduct electronic searches to identify pertinent names, locations, or crime patterns that can help them solve cases.**

To promote utilization of electronic documentation systems, these systems should include a way to segregate public and non-public information, should include a module that is specifically designed for collecting information about investigations, and should contain strong protections against tampering or unauthorized access.

PERF learned that the PPD is in the process of updating the PIIN system. The PPD should consider fully integrating the Homicide Unit into PIIN in order to use the system's full range of capabilities.

However, the PPD faces additional challenges with respect to electronic records management in that detectives lack the common tools necessary for a modern police department. For example, Homicide Unit detectives do not have individual work stations and up-to-date computers, laptops, and cell phones.

Case File Storage

Finding: There is no secure case file storage area within the Homicide Unit, which makes it challenging to find and maintain case files. The lack of secure file storage presents a significant security concern and could risk the integrity of homicide investigations and

further hinder the department’s ability to solve cases. The Homicide Unit should improve its file storage and control system as quickly as possible.

The Homicide Unit maintains two years of files onsite within the office; older files are kept in offsite storage. The files are maintained by administrative personnel and are kept in file cabinets that are scattered along the walls of the office. The case files are not stored within a secure location in the unit.

During the assessment, PERF observed files sitting on open shelves, desks, the floor, and other open, unsecure spaces. It was reported that files are often difficult to find or maintain, and that some occasionally go missing.⁶² The limited office space and inefficient configuration of the space clearly have an impact on file control. Detectives also lack their own individual workspace and file cabinets.

More information about the Homicide Unit’s challenges with regard to office space, equipment, and technology can be found in the following section, *Homicide Unit Office Space, Equipment, and Technology*.

Recommendations: Case Documentation and Records Management

- ***Recommendation #32:*** **The Homicide Unit SOPs should be updated to include directions on proper case documentation, file organization, and required reporting.**
 - The Homicide Unit Manual should include a case file checklist that directs which documents should be included in the file and the order in which they should be filed. Supervisors should periodically review case files to ensure that detectives are adhering to the checklist, and this review should be part of the detectives’ evaluations.
 - At a minimum, homicide case files should include the following completed documents:
 - Case file index
 - Investigative plan (*See Recommendation 26*)
 - Case checklist form (*See Recommendation 27*)
 - Initial incident report
 - 24-hour report
 - 5-day supplemental report

⁶² PERF observed a “missing” poster—a written notice asking for help in locating a case file—hanging within the office for a missing case file.

- 10-day supplemental report
 - 30-day supplemental report
 - Supervisor case review sheets (completed by detective's supervisor)
 - Autopsy report and other communications/reports from the Philadelphia Medical Examiner's Office
 - Copies of submissions for forensic tests
 - Forensic test results, including NIBIN leads
 - eTrace results
 - Witness statements
 - A log of contacts with the Philadelphia District Attorney's Office
 - Intelligence reports
 - Any other forms or reports required by the department
 - Documentation of all other investigative tasks completed.
- **Recommendation #33: The Homicide Unit should take steps to improve the organization of case files. Possible strategies include:**
- The Homicide Unit should use multi-section file folders to store documents rather than individual envelopes for each section, which will make it easier to review files.
 - The Homicide Unit should consider developing a case file organization guide similar to the one used by the Houston Police Department's (HPD) Homicide Unit. HPD uses a case file organization guide to help investigators organize case files and provide uniformity within the unit. The document contains valuable information and includes instructions for the contents of each tab within the case file. It also includes examples of a case synopsis, table of contents, common documents and forms, as well as instructions on how to obtain access to other investigative information (e.g., databases, autopsy reports, jail phone watches, fire department reports). The organization guide was an especially useful tool for investigators. PERF can provide the PPD with a copy of HPD's organization guide.
- **Recommendation #34: The PPD should explore ways to ensure that its electronic records management system (PIIN) can be fully utilized by the Homicide Unit to strengthen case documentation and investigations.**
- The PPD should examine whether PIIN can be segregated between public and non-public documents, so that detectives are able to upload their notes and other non-public documents into the system.

- The PPD should explore creating an investigations module within PIIN for use by the Homicide Unit and other investigative units.
 - The PPD should have a system in place to promote the use of electronic investigative case files, even if its electronic records system is not yet fully functional or linked with the Homicide Unit. For example, the PPD should require the Homicide Unit to create electronic versions of the types of documents that are often included in homicide case files (e.g., reports, evidence submission requests), and these documents should be filed in a shared drive that is accessible to Homicide Unit personnel. If a case file is misplaced, an electronic version can serve as a backup.
 - Personnel should be fully trained on all electronic records management systems and databases.
 - Detectives should ensure that cases are properly documented both in hard copy and electronically.
- **Recommendation #35: The PPD should take steps to protect the security of homicide case records. Homicide case files should be placed in a secure location, with inventoried and controlled access. Detectives should be required to complete a sign out/sign in log when removing and returning a case file.**

Homicide Unit Office Space, Equipment, and Technology

Finding: The Homicide Unit office space is inadequate, poorly configured, and not well maintained. The area is inappropriate not only for detectives, but also for family members of victims and for witnesses and suspects who may come to the unit. Additionally, the equipment and technology available to Homicide Units detectives are largely outdated or nonexistent. Homicide detectives do not have enough vehicles, individual work stations, laptop computers, or department-issued cell phones. Addressing these needs would help improve the efficiency and effectiveness of homicide investigations, as well as the performance of the Homicide Unit detectives.

In many police agencies, the equipment and technology provided to homicide units are outdated, or the unit does not have technologies that are available in other agencies. When a homicide unit does not have the tools to meet the needs of a modern homicide investigation, it can limit detectives' abilities to perform their jobs effectively.

Office Space

Everyone PERF interviewed commented about the deteriorating conditions of the Homicide Unit office space and lack of basic equipment and tools necessary to conduct investigations. The office space was dirty and disorganized with case files located on open shelves, desks, and the floor. During the onsite assessment, PERF observed peeling paint, exposed wires, and black mold. One detective described it as a "glorified file room with shared desks sprinkled in." PERF learned that there are plans under way to move to a new facility, but this is not expected to occur until 2021.

The configuration of the office space is also a safety concern because the only bathroom is adjacent to the witness waiting area, creating a potential hazard every time a suspect enters the unit or needs to use the lavatory. Verbal and physical confrontations have occurred between rival groups who are forced to be seated in the same area.

The space problem also has an impact on file control. Files are kept on open shelves, on desks, on the floor, and in other open spaces. Files are sometimes difficult to find or maintain, and occasionally go missing. Detectives also lack their own individual workspace and file cabinets.

Equipment and Technology

One of the most significant concerns is that detectives lack the basic equipment needed to perform their jobs effectively. There are not enough vehicles for each squad. Detectives sometimes must wait for a vehicle to become available in order to conduct work outside the office. Detectives do not have their own desks or cubicles, or their own desktop or laptop computers. The operating system for most computers in the office is Windows 7. Detectives were given email capabilities only two years ago. Moreover, none of the detectives have direct phone lines or individualized voicemail, because none of the detectives have individual work stations. Although sergeants have department-issued cell phones, detectives do not. Many of the detectives interviewed said they frequently use their personal cell phones for work. Some expressed concern that their personal cell phones could be subpoenaed. Indeed, this could

potentially expose the PPD to a *Brady*⁶³ violation if the District Attorney's Office does not have access to all work-related information.

The PPD should review the resource needs of the Homicide Unit, as well as other investigative and support units in the department, and should place a high priority on updating the facility, as well as investing in necessary equipment and tools to assist with investigations. The PPD should develop a plan for addressing these needs, both in the near term and in the future as the needs of the department and the Homicide Unit change.

Recommendations: Homicide Unit Office Space, Equipment, and Technology

- **Recommendation #36: The PPD should invest in upgrades to the Homicide Unit office space.**
 - The PPD should immediately address the deteriorating condition of the facility. PERF understands that there are plans under way to move to a new facility, but that may not occur until 2021. Failure to address the space and configuration issues will continue to negatively impact performance.
 - The PPD should reconfigure the office to provide an adequate waiting area for victims' family members and witnesses. Homicide detectives should have access to enough interview rooms to avoid potential interactions between suspects and witnesses or family members, and to avoid requiring witnesses to wait in line to be interviewed. Interview rooms should be equipped with upgraded video equipment to ensure that interrogations are accurately and consistently recorded.
- **Recommendation #37: The PPD should invest in upgrades to the vehicle fleet assigned to the Homicide Unit.**
 - The PPD should inspect the vehicle fleet to ensure the vehicles are adequate for homicide investigations.
 - The PPD should increase the number of vehicles available to homicide detectives to ensure a timely response to homicide scenes and other locations (e.g., hospitals, the medical examiner's office, or meetings with witnesses).
 - An insufficient number of reliable vehicles may result in a delayed response to a homicide scene and to complete investigative responsibilities.
- **Recommendation #38: The PPD should invest in technological tools that could greatly improve the efficiency and effectiveness of homicide investigations. These include:**

⁶³ *Brady v. Maryland*, 373 U.S. 83 (1963), in which the U.S. Supreme Court held that the prosecution may not withhold evidence that is material to the determination of a defendant's guilt or innocence.

- ***Tools for essential office work, such as up-to-date desktop computers and individual work spaces.***
 - PERF learned that homicide detectives do not have access to assigned individual work spaces or desktop computers. Detectives are required to share computers and work stations with other detectives in the unit.
 - PERF also learned that detectives complete the initial incident report (“75-48”) using a carbon copy form. Moving to an electronic record keeping system is a necessary first step in making records secure and usable.
- ***Tools to expand the field capabilities of Homicide Unit detectives, such as tablets, smartphones, or other mobile devices.***
 - PERF learned that Homicide Unit detectives do not have department-issued cell phones and sometimes use their own personal phones to make notifications while at the scene of an investigation or otherwise out of the office. Equipping detectives with mobile devices that are linked to PPD databases would improve the efficiency of investigations and reduce the workload of detectives carrying heavy caseloads. It would also help detectives communicate with one another and with other PPD personnel. There is also no WiFi within the PPD headquarters building.
- ***Tools to analyze social media communications.***
 - The ability to analyze communications made by crime victims, witnesses, suspects, and other people via social media (e.g., Facebook, Twitter, Instagram) is increasingly important for criminal investigators. Homicide Unit detectives have access to social media analysis through the PPD’s Intelligence Bureau (see Intelligence Bureau section), but there is a lack of coordination between homicide detectives and intelligence analysts.
 - The PPD should consider placing intelligence analysts in the Homicide Unit to facilitate social media analysis (*see Recommendation 58*).
- ***Tools to improve information-sharing.***
 - There are many technologies that could improve the flow of information in homicide cases, such as: crime-scene drawing software (detectives currently draw scenes by hand); technology to allow communications personnel to immediately email recordings of 911 calls to detectives; and access to databases that allow detectives to immediately verify the locations of suspects who are on court-ordered GPS monitoring.

Evidence Collection and Analysis

Finding: The Philadelphia Police Department’s Office of Forensic Science (OFS) includes well-trained personnel, but like the Homicide Unit, OFS lacks adequate staffing and up-to-date equipment and technology that would allow personnel to perform their duties more efficiently and effectively. The PPD also lacks a formal system for submitting requests for analysis other than a detective sending an email to the designated unit.

The BJA guide, *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, states that “a competent, well-equipped, and well-staffed crime laboratory that is responsive to investigators will have a significant effect on homicide clearances.”⁶⁴ It is critical that police agencies have strong systems for collecting, processing, testing, and analyzing physical evidence. This includes ensuring that the units that perform these functions have clear written policies and protocols, adequate staffing and equipment, and standardized procedures for communicating with one another and with investigative units.

The PPD’s Office of Forensic Science (OFS) has two divisions: the technical services division, which includes the Crime Scene Unit (CSU) and the Firearms Identification Unit (FIU); and the scientific services division, which includes the Chemistry Unit⁶⁵ and the Criminalistics Unit.

Crime Scene Unit

The CSU responds to, and collects and processes evidence from, all homicides, rapes, officer-involved shootings, and any requests by the divisional detectives.

Staffing and Training

At the time of PERF’s site visit, the CSU was staffed by 18 crime scene technicians, all of whom are sworn police officers. In general, two crime scene technicians respond to each scene. The crime scene technicians take photos and video recordings, measure and sketch the scene, and collect evidence.

Upon assignment to CSU, officers participate in a one-year structured training program, followed by 40 to 60 hours of annual training. New CSU officers respond to calls during their first year, but do not serve as primary crime scene investigators.

Areas for Improvement

Although PPD crime scene technicians appear to be well trained and have a good working relationship with homicide detectives, some interviewees told the PERF team that the unit is overworked. Other interviewees expressed concerns about broken or inadequate cameras and printers. Like homicide investigators, crime scene technicians must have the equipment and tools necessary to perform their job efficiently and effectively. **The PPD should review the**

⁶⁴ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁶⁵ PERF’s review did not reveal any issues or need for changes in policy or practice in the Chemistry Unit.

technology and equipment needs of the CSU to ensure that crime scene technicians can thoroughly and accurately process crime scenes.

In addition, PERF was advised that detectives from the regional divisions process and collect evidence from nonfatal shooting scenes. If a detective believes that a shooting victim will likely die, he/she requests that the CSU respond to the scene. However, PERF learned that there have been occasions where a victim did not die immediately and the scene was processed only by the detective, and not the CSU. **The PPD should review the staffing levels of the CSU to ensure that a crime scene technician is able to respond and process nonfatal shooting scenes.**

Firearms Identification Unit

The Firearms Identification Unit (FIU) process all ballistics generated at crimes scenes in the City of Philadelphia as well as the surrounding county. The FIU is staffed by 17 full-time firearms examiners, four of whom work solely on entering shell casings into the National Integrated Ballistics Information Network (NIBIN). The other examiners are assigned to firearms investigations. In addition, the FIU employs three technicians who are responsible for NIBIN entry and comparison. **At the time of PERF's site assessment, there were five vacancies in the FIU for firearms examiners and one vacancy for a NIBIN technician.**

Staffing and Training

All firearms examiners work a dayshift schedule with weekends off. If there is a high-priority incident outside normal business hours, the lieutenant in charge of the unit is able to call in staff. FIU staff members generally perform two hours of overtime every day to handle the existing workload.

The position requires two and a half years of training to become "qualified" as defined by the forensic accreditation board. However, this is not considered a promotion for sworn police officers. The FIU has also hired civilians as firearms examiners, but once they are trained, they often leave their position for better-paying jobs elsewhere. Firearms examiners must complete 100 hours of continuing education within five years in order to maintain their qualification.

Entering Firearms and Shell Casings Into NIBIN

Officers must transport all recovered firearms and live ammunition to the FIU lab before their tour of duty ends. Recovered shell casings must be submitted to the FIU within five days of recovery, and they are required to be entered into NIBIN within 24-48 hours. All recovered firearms are test-fired and also submitted to NIBIN for comparison within 24-48 hours of recovery. If necessary, evidence is processed for DNA prior to being submitted to the FIU.

If NIBIN generates a high-confidence lead, a firearms examiner will confirm the lead and send it via email to the Crime Gun Intelligence Center (CGIC). There, an analyst with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducts a trace of the firearm and prepares a lead sheet, which identifies the make and model of the gun, as well as the purchaser of the gun, and compares it to the location where the firearm was recovered. The ATF analyst prepares a binder with this information, which is hand-delivered to the assigned detective within five days of the incident. A retired PPD officer or the PPD task force officer assigned to the ATF is

responsible for hand-delivering the binder. The lead sheet is also emailed to the assigned detective, as well as the detective's commanding officer and the chief inspector of the Detective Bureau.

In addition, NIBIN technicians perform a cross-check at the detective's request to compare recovered evidence with evidence previously entered into NIBIN. High-confidence leads are also forwarded to the PPD's Intelligence Bureau, which prepares a link analysis to identify degrees of separation and relationships related to the firearm.

Areas for Improvement

FIU staff members appears to be well-trained. However, PERF identified the following areas for improvement.

First, the PPD should take steps to ensure the unit has adequate staffing to handle the workload.⁶⁶ This may include bolstering recruitment efforts or offering additional incentives for officers who transfer to the FIU.

Second, the PPD should review the technology and equipment needs of the FIU to ensure that firearms technicians can efficiently perform their jobs. PERF learned that the FIU has only eight comparison microscopes for 17 examiners (full strength is 22 examiners). The FIU also requires powerful computers with high-definition video cards to efficiently operate the cameras.

Third, other than email, the FIU lacks a tracking mechanism to make sure that all leads are addressed. PERF learned of one case where a detective was unaware of a NIBIN lead because he had not checked his email. Leaders from the Office of Forensic Science and investigative units should work together to revise the protocols for submitting evidence, and tracking and communicating the results to the detectives.

Criminalistics Unit

After evidence is collected and processed by the CSU, it is typically submitted to the Criminalistics Unit, which is responsible for testing and analyzing a variety of evidence, including DNA/serology and trace evidence.

Staffing and Training

The unit is staffed by 12 certified DNA analysts, and at the time of PERF's assessment, there were six additional analysts in training. The unit had recently hired two additional analysts, bringing the total to 20.

DNA Processing

⁶⁶ In addition to the FIU, PERF learned that the Pattern Evidence Unit is also severely short-staffed. At the time of the assessment, there were only six latent print examiners in the unit, but the authorized strength is 15 full-time examiners.

Detectives submit requests to the Criminalistics Unit via email and are assigned a case manager. Any evidence that tests positive for DNA is analyzed. However, if there are multiple samples, the case manager discusses with the detective which samples are most probative.

According to the Criminalistics Unit, the average turnaround time for DNA for an “expedited” case is within one week. DNA turnaround for a “priority” case is within three weeks, and for a routine case, the average is six weeks. After discovering bottlenecks in the analysis process, the unit implemented Lean Six Sigma methodology. This has reduced redundancies, increased the efficiency of the unit, and increased productivity.

Areas for Improvement

Some detectives said they believe the turnaround time for DNA is significantly longer than what was reported above, which may be due to a lack of communication or understanding between the units. There is often a lack of communication between the Homicide Unit and crime lab regarding each other’s functions, capabilities, limitations, and processes. For example, homicide detectives may not understand the crime lab’s policy for prioritizing evidence to be tested, and DNA analysts may not understand the evidentiary value behind an item that a detective submitted for testing. This lack of communication can create tension between the Homicide Unit and Criminalistics Unit.

The OFS is currently training all detectives on the capabilities of the unit, which should help alleviate misunderstandings. The PPD should also ensure that there are written protocols on how to submit requests for analysis. The Homicide Unit SOPs should be revised to include these protocols. In addition, the PPD should set up a tracking system to ensure that requests are submitted and analyzed in a timely manner. A formal tracking system can be monitored by supervisors more easily than an email-based system.

Recommendations: Evidence Collection and Analysis

- ***Recommendation #39:*** Leaders from the Homicide Unit, Detective Division, and the OFS should work together to improve communication and coordination between the units, and to develop evidence submission protocols that are based on a mutual understanding of the capabilities and limitations of each unit.
 - When developing these protocols, unit leaders should solicit input from detectives and lab personnel to ensure that the needs of all units are met.
 - These policies should be applicable to any agency personnel who seize and analyze evidence, including patrol officers, detectives, CSU personnel, and forensic technicians.
 - Homicide Unit leaders should meet at least monthly with Office of Forensic Science leaders to review recent submissions, statuses, and any issues between the two units.

- Strategies to improve communications and coordination between the Homicide Unit, Detective Division, and the OFS include:
 - Requiring homicide detectives and crime scene technicians to briefly confer after a homicide scene has been processed. They should discuss what evidence was collected, what is needed in terms of forensic testing, and next steps.
 - For example, in Richmond, VA, the same teams of crime scene investigators and homicide investigators are scheduled to work the same shifts in order to promote the coordination between the units and improve the efficiency of investigations.⁶⁷
 - In Baltimore County, after a homicide suspect is arrested, the investigator will meet with crime scene personnel, forensic analysts, and the district attorney to review the evidence in the case and determine which pieces of evidence should be examined further. This process reduces the number of unnecessary items to be tested and increases the turnaround times for forensic results.
 - Encouraging homicide detectives to be clear and descriptive about what they need from crime scene technicians, both before and after the scene is processed.
 - Regularly briefing homicide detectives on new technologies and policies used by the crime scene unit.
- **Recommendation #40: The PPD should explore ways to streamline the system for submitting evidence for forensic testing and for tracking and communicating the results to detectives. This may include:**
- Training detectives on how to access and use the databases that crime lab personnel use to file crime scene information and forensic analyses.
 - Creating an automated system that documents whether forensic test results were sent to detectives, and whether the detective received the results.
 - Taking steps to ensure that personnel read and respond to emails and other department communications.
 - Requiring detectives who submit evidence to identify their supervisor and provide the supervisor's contact information. This will provide the crime lab personnel with multiple points of contact for obtaining follow-up information as necessary.

⁶⁷ Carter, David L. (2013), *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*. http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

- Following an arrest or charges being filed, the homicide detective should meet with the Philadelphia District Attorney’s office and forensic services personnel to determine which evidence needs to be processed. This may reduce the number of items unnecessarily tested and analyzed by the Office of Forensic Science, which will help shorten turnaround times for evidence processing.
 - Detectives should document any leads generated by forensic analysis (e.g., DNA, NIBIN) and the resulting follow-up in the case files.
- **Recommendation #41: The PPD should evaluate the staffing, technology, and equipment available to the OFS. The goal of this review is to ensure that personnel have the resources they need to respond to nonfatal shooting scenes (in addition to homicides) and thoroughly process and test evidence in a timely fashion.**
- The Crime Scene Unit should be staffed so that there is always a trained crime scene technician available to respond to nonfatal shooting scenes. **Thorough investigations of nonfatal shootings may help to prevent future homicides.**
 - The detectives based in the divisions are currently responsible for collecting evidence from nonfatal shooting scenes and have occasionally collected evidence from scenes where a victim later died. This can create inconsistencies in how scenes are processed and generate additional work for detectives.
- **Recommendation #42: The PPD should ensure that the OFS has up-to-date equipment and technology. This will help forensic services personnel to perform their jobs more efficiently and effectively.**
- PPD officials should work with unit supervisors to determine the technology and equipment needs of the unit.
 - Specifically, the PPD should invest in the following:
 - Powerful CPUs with high-definition video cards to run the cameras;
 - Technology to reconstruct crime scenes (e.g., FARO);
 - Better cameras and printers for crime scene photography.

Digital Evidence

Finding: PPD’s recovery of digital evidence is accomplished in a decentralized and inefficient manner. PERF learned that at least four different units or organizations have the capability to recover and analyze digital evidence for PPD detectives.

In 2018, PERF released *The Changing Nature of Crime and Criminal Investigations*,⁶⁸ a report that explored how new technologies are changing the types of crime that are committed and how criminal investigations are becoming more complex. Nearly every type of crime, including homicide, can have digital components.

At the same time, digital evidence, including video footage and forensic evidence from computers and cell phones, is increasingly valuable to criminal investigators.⁶⁹ **Smartphones and other personal devices contain a wealth of information, including the identities and contact information of a person’s friends and associates; personal schedules; the time, location, and content of phone calls, emails, texts, and other messages; social media postings; photographs taken by the subject and photos received from friends; suspects’ location and activities at particular dates and times, etc.**

Furthermore, the proliferation of public and private security cameras – as well as video features on smartphones – means that more and more criminal incidents are being captured on video. As a result, investigators are increasingly relying on digital evidence to provide critical information about crime victims and suspects.⁷⁰ **Because of this shift into how homicides (and other crimes) are now being investigated, the PPD must make a major investment in digital evidence collection, recovery, and analysis.**

Challenges with Digital Evidence

Some types of digital evidence, such as security camera footage, must be gathered quickly, before the digital trail grows cold. In addition, investigators must understand the technical and legal issues involved in unlocking digital devices and gathering digital evidence from devices or from social media companies and cellular service providers.

Processing and analyzing digital evidence require specialized skills, training, and equipment that are beyond the capabilities of a typical officer or detective. Additionally, the volume and extent of data recovered means that the process to analyze such evidence can be significantly more time-consuming.

PPD’s Digital Evidence Policy

According to “PPD Directive 5.30 – Digital Evidence,” PPD’s Office of Forensic Science is responsible for reviewing all policies and procedures regarding the collection, processing, and handling of digital evidence. Only PPD employees who have successfully completed a department-approved course in forensic processes and techniques are able to recover and process digital evidence. Furthermore, the directive requires all digital evidence examinations to be

⁶⁸ Police Executive Research Forum (2018). *The Changing Nature of Crime and Criminal Investigations*, Washington, D.C. Available at <http://www.policeforum.org/assets/ChangingNatureofCrime.pdf>.

⁶⁹ Goodison, Sean E., Robert C. Davis, and Brian A. Jackson (2015), *Digital Evidence and the U.S. Criminal Justice System: Identifying Technology and Other Needs to More Effectively Acquire and Utilize Digital Evidence*, Washington, DC: RAND Corporation, the Police Executive Research Forum, RTI International, and the University of Denver, available at

http://www.rand.org/content/dam/rand/pubs/research_reports/RR800/RR890/RAND_RR890.pdf.

⁷⁰ Ibid.

conducted by, or under the oversight of, the OFS. However, the PPD does not have its own digital forensics laboratory for cell phone and computer analysis.

Who Performs Digital Evidence Services

Although the OFS oversees digital evidence services, there are multiple units and organizations that perform the examination and analysis of digital evidence, none of which are specified in PPD Directive 5.30 or Homicide Unit SOPs. For example, PERF learned that two detectives in the Homicide Unit have been removed from the case assignment rotation to focus full-time on phone and video analysis. These detectives often perform their work using equipment and licenses provided by others or in some cases purchased by themselves. Detectives from other units are used for the same purpose.

In addition, detectives can use the **Regional Computer Forensics Lab (RCFL)**, which is an FBI taskforce that provides digital forensics services to law enforcement agencies in the Philadelphia region. However, this facility is not open 24/7 and is located in Radnor, which is more than an hour away from the Homicide Unit's downtown offices.

The **Delaware Valley Intelligence Center (DVIC)**, which is part of the PPD's Intelligence Bureau, also offers detectives many of the same capabilities, but the individuals who perform digital evidence services are not always available. PERF was advised that the **District Attorney's Office** also has a Cellebrite machine available to detectives to extract cell phone data.

This decentralized approach is not consistent with large, high-performing police departments. PERF learned that the PPD's Homicide Unit is considering creating an in-house technical service unit, but a better approach may be to create a centralized capability that serves numerous units or even the entire department. In any case, the PPD and the Homicide Unit should revise or develop policies and procedures governing digital evidence that specify which unit is responsible for performing such duties. More detailed recommendations can be found below.

Digital Evidence Training

The Homicide Unit should also ensure that its detectives understand the technical and legal issues surrounding digital evidence collection, extraction, and analysis. PERF was informed that the Training Bureau recently began providing all detectives with a 6-hour session on cell phone analysis. The purpose of the training is to show detectives how to analyze and filter data, and how to draft an affidavit for a search warrant. This is a positive step and should continue until all detectives are trained. Candidates for promotion to detective should receive the same or similar training as part of the pre-promotion training curriculum.

Recommendations: Digital Evidence

- ***Recommendation #43:*** **With the increased reliance on digital evidence and greater complexity into how homicides are being investigated, the PPD must make a major investment in digital evidence services. For example, the department should streamline the provision of digital evidence services, notably the collection, recovery, and analysis of cell phone and video evidence.**

- To increase efficiency, the Homicide Unit should consider centralizing the provision of technical services, including the recovery and analysis of cell phone and video evidence.
 - If the recovery of digital evidence remains decentralized, the PPD should promote strong coordination between the specialized units that handle digital evidence and the Homicide Unit.
- **Recommendation #44: The PPD should revise the written policies and procedures that govern the collection and processing of all cell phones, computers, video footage, and other electronic devices that are recovered as evidence (i.e., PPD Directive 5.30). The Homicide Unit should incorporate Directive 5.30 into its SOPs, and should also develop its own policies and procedures related to digital evidence with respect to homicide investigations.**
- These policies should be applicable to any PPD personnel who seize or analyze digital evidence, including patrol officers, investigators, and forensic technicians. Policies should direct personnel on how to handle electronic devices prior to submitting them for analysis, and personnel should be trained on this topic.⁷¹
 - Written policies should include:
 - Directives on who within PPD is responsible for digital evidence collection, processing, and analysis. Specialized units dedicated to handling digital evidence should help to develop written policies and procedures that govern their operations.
 - The procedure for requesting digital evidence extraction/processing services;
 - Standard departmental policies for collecting electronic devices recovered as evidence;
 - Standard departmental policies for extracting data from electronic devices, including evidence located in a cloud database;
 - Standard department policies and protocols for identifying security cameras at crime scenes and for requesting video footage from public and private operators of security cameras;
 - Legal standards for searching and seizing evidence collected from electronic devices;

⁷¹ Goodison, Sean E., Robert C. Davis, and Brian A. Jackson (2015), *Digital Evidence and the U.S. Criminal Justice System: Identifying Technology and Other Needs to More Effectively Acquire and Utilize Digital Evidence*, Washington, DC: RAND Corporation, the Police Executive Research Forum, RTI International, and the University of Denver, available at http://www.rand.org/content/dam/rand/pubs/research_reports/RR800/RR890/RAND_RR890.pdf.

- When developing policies governing the recovery and processing of digital evidence, police agencies should consult best practices guides and policies from other police agencies. (See Appendix C for a list of resources.)
- **Recommendation #45: All investigators in the PPD, including homicide detectives, should receive training to understand the technical and legal issues regarding digital evidence collection, extraction, and analysis, regardless of whether they routinely perform these functions.**
 - The training should include the protocols and legal standards for requesting extraction services, obtaining search warrants or court orders for digital evidence, and steps that should be taken to preserve cell phone evidence.
 - Trainings could be conducted by trained personnel from the units that are primarily responsible for handling digital evidence and the District Attorney's Office.
 - The PPD should consider incorporating this training into the pre-promotion training curriculum for detective candidates.
- **Recommendation #46: Homicide Unit detectives and other personnel in the PPD who are responsible for handling digital evidence should consider registering with the FBI's National Domestic Communications Assistance Center (NDCAC) for training and assistance related to digital evidence.**
 - The NDCAC is a hub for technical knowledge management and information-sharing among law enforcement agencies. NDCAC assists law enforcement agencies by providing free technical training, developing tools and resources, conducting research on technical solutions and best practices, and maintaining relationships with communications industry partners.
 - Law enforcement personnel must register with NDCAC to access its resources and tools. To register, send a request to askndcac@ic.fbi.gov. There is no limit to the number of representatives per agency.

Internal Coordination

Finding: There is significant fragmentation and a lack of coordination and collaboration among the various units involved in homicide investigations. Although the individual units frequently communicate on an informal basis, there should be formal opportunities to share information through established means of communication.

Overall Coordination and Communication

The BJA guide on best practices for homicide investigations states: “The homicide unit should have an open and strong working relationship with other units within the agency . . . The most successful homicide investigators realize the value provided in a team approach to investigations and practice it regularly.”⁷²

According to the BJA best practices guide, homicide detectives should work as an investigative team alongside forensic scientists, crime analysts, prosecutors, patrol officers, and detectives from specialized units, such as gangs or narcotics units.⁷³ The guide notes that to promote better collaboration, some police agencies, like the Jacksonville (Florida) Police Department, have instituted formally-defined homicide investigations teams.⁷⁴

Challenges to Internal Coordination

As in a number of other police departments in America, the PPD’s coordination with other agencies is problematic. There are several reasons why strong cross-agency coordination can be difficult to achieve. One common challenge is that, although members of the various units are generally talented and committed to their work, these units are largely insular and operate as independent entities. BJA’s 2013 publication, *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigations*, notes: “Collaboration can improve success throughout the agency, but it may require serious efforts to overcome entrenched subcultures of guarding information, isolation, and insulation. The benefits of collaboration are limitless, including information that could prevent a homicide, such as in a case of retaliation.”⁷⁵

Additionally, police agencies sometimes have few formal communication or information-sharing mechanisms in place, and as a result, it can be difficult for investigators to share intelligence and identify important links between cases, suspects, victims, and witnesses.

In the PPD, as in many other police agencies, a lack of adequate staffing and resources in units throughout the agency may be a barrier to strong internal coordination. When units lack the staffing and resources they need to perform their own tasks, it becomes less likely that they will be able to assist other units with investigations.

⁷² Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. Bureau of Justice Assistance (2013). Available at: http://www.iir.com/Documents/IACP_Homicide_Guide.pdf.

Some PPD employees told the PERF team that they wished there were more automated communication and collaboration between units, while others indicated that this is already occurring. **Not all detectives are familiar with the capabilities and resources provided by other units.** Implementing the following recommendations will help improve interagency communications and coordination. Recommendations concerning other PPD units are found later in this section.

Recommendations: Internal Coordination

- ***Recommendation #47:*** **The PPD command staff and unit leaders should continuously emphasize the value of cross-department collaboration and taking a team approach to preventing and solving crimes.**
 - This message should be reinforced in the PPD directives, Homicide Unit SOPs, and in training. Policies should include procedures for sharing information with patrol officers, all investigative units, analysts, and multi-jurisdictional task forces.⁷⁶
 - Leaders from the various units should meet regularly to share ideas for strengthening the investigative process and improving cross-agency information sharing.
 - For example, the Los Angeles County Sheriff's Department created formal and informal opportunities for sharing information through enhanced computer systems and by co-locating units within the same building.⁷⁷
 - In Washington, D.C., executives and managers at the Metropolitan Police Department worked with subordinates to develop procedures for rapid release of critical information to all units in the department. For example, the gang unit reviewed information from school resource officers, daily crime bulletins, gunshot analysis, and their own sources to develop a gang conflict report that was distributed daily to all officers.⁷⁸
- ***Recommendation #48:*** **The PPD should coordinate regular training briefings to allow members of the various units within the department to brief other units about their policies, protocols, capabilities, and missions.**
 - This will help units better understand how their missions, goals, and functions intersect. Homicide detectives should also be encouraged to attend Patrol Unit roll calls to share information about homicide incidents and investigations.
- ***Recommendation #49:*** **Homicide Unit detectives should be required to document any request they submit to another unit, whether those requests were followed up, and the results of such requests. Homicide Unit supervisors should review this documentation to ensure that detectives are soliciting input and assistance on cases from other units.**

⁷⁶ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁷⁷ *10 Things Law Enforcement Executives Can Do To Positively Impact Homicide Investigation Outcomes*. Bureau of Justice Assistance (2013). Available at: http://www.iir.com/Documents/IACP_Homicide_Guide.pdf.

⁷⁸ Ibid.

Patrol Units

Patrol officers serve a critical role in homicide investigations. They are typically the first officers on the scene of a homicide; they are responsible for preserving and managing the crime scene; they often conduct the initial witness canvasses; and they may have contacts in their districts who can provide valuable information about a case.⁷⁹ Research has shown that certain actions taken by patrol officers – such as securing the crime scene and attempting to locate witnesses – can lead to higher homicide case closure rates.⁸⁰

In Philadelphia, securing the crime scene, setting up a perimeter, and maintaining a crime scene log are among the key tasks for patrol officers in a homicide investigation. At a homicide scene, patrol officers also assist in canvassing the area for potential witnesses and evidence, separating potential witnesses from the crowd, transporting witnesses to headquarters to be interviewed by a homicide detective, and transporting the witnesses back after the interview is over. These tasks are critical for ensuring that crucial evidence and witness testimony are not lost, for keeping witnesses safe, and for allowing potential witnesses to share information without interference from others who may attempt to dissuade them from offering assistance.

Patrol units in Philadelphia often arrive at crime scenes more quickly than medics and are therefore also tasked with transporting seriously injured victims to the hospital. This policy, known throughout the department as “scoop and run,” was implemented in order to increase the chances of survival during the “golden hour,” the time during which a trauma victim’s chances of survival are the highest.⁸¹ Interviewees also reported that victims are often transported by patrol in order to diffuse a hostile crime scene.

Officers are responsible for cleaning out their patrol vehicles after transporting injured victims to the hospital. However, they do not receive training in bloodborne pathogens. All PPD staff who may be exposed to bloodborne pathogens—especially patrol officers—should receive training on how to reduce infections and diseases after exposure to bloodborne pathogens.⁸²

Coordination with the Homicide Unit

After the initial on-scene response, homicide detectives do not generally communicate with patrol or take advantage of the close knowledge of a neighborhood that patrol officers develop. Regular, ongoing communication between homicide detectives and patrol officers can help strengthen homicide investigations. Officers who patrol neighborhoods on a daily basis often

⁷⁹ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁸⁰ Wellford, Charles and James Cronin, *Clearing Up Homicide Clearance Rates*, National Institute of Justice Journal (April 2000), <https://www.ncjrs.gov/pdffiles1/jr000243b.pdf>. See also the full report for a more comprehensive look at this study: *An Analysis of Variables Affecting the Clearance of Homicides: A Multistate Study* (October 1999), http://www.jrsa.org/pubs/reports/homicides_report.pdf.

⁸¹ Eisele, Charlie. *The Golden Hour*, The Journal of Emergency Medical Services (2008). Available at: <https://www.jems.com/articles/2008/08/golden-hour.html?c=1>.

⁸² The Camden County Police Department in New Jersey has instituted a similar “scoop and run” policy for gunshot victims. By law, all first responders in New Jersey are required to receive training on bloodborne pathogens. See <https://www.nj.gov/health/workplacehealthandsafety/documents/peosh/bbp.pdf>.

have contacts and sources who can provide vital information about homicide cases. Failing to use this information is a lost opportunity for patrol officers to assist in investigations, deter further crimes, and keep communities safe.

Coordination between the homicide unit and patrol units must go beyond the initial crime scene and continue throughout the investigation. For example, it can be useful for homicide detectives to attend roll calls to personally provide information to patrol officers regarding homicide cases in the area. Additionally, when patrol officers receive information from the public related to a homicide, there must be clear channels for sharing that information with the homicide unit.

Recommendations: Patrol Units

- ***Recommendation #50:*** **The PPD should take steps to improve the communication and coordination between patrol officers and homicide detectives.**
 - The PPD should ensure that there are formal information-sharing protocols in place to improve communication between patrol officers and homicide detectives.
 - Homicide detectives should routinely follow up with patrol officers to determine whether officers have relevant information on active homicide cases. This step should be included as a step in the homicide unit investigation checklist (*see Recommendation 31*). Homicide unit supervisors should hold detectives accountable for completing this step.
- ***Recommendation #51:*** **To ensure that homicide crime scenes are consistently and thoroughly secured and managed, leaders from the Homicide Unit and Patrol should develop a standardized worksheet for patrol officers to use when responding to crime scenes.**
 - The worksheet should include a checklist of all tasks that must be completed, notes regarding any essential information gathered (e.g., witnesses identified, evidence collected, etc.), and space to record information about the people, conditions, and circumstances at the scene.
 - Officers should be responsible for submitting the worksheet to the Homicide detective before leaving the scene.
 - The BJA best practices guide provides samples of similar worksheets used by police departments in Sacramento County and San Diego.⁸³
- ***Recommendation #52:*** **The PPD should ensure that patrol officers receive comprehensive training on the following topics:**

⁸³ Carter, David L. (2013), *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

- *Crime scene processing and management*, including securing and preserving a scene, maintaining a crime scene log, locating surveillance cameras and other sources of evidence at the scene, conducting initial witness canvasses, and other aspects of initial case investigation and crime scene management. Officers generally receive basic crime scene training while at the Academy, but it should be reinforced by on-the-job training and updated formal training as needed.
- *Managing witnesses and victims' family members*, including how to identify and separate potential witnesses at the scene, how to respond to possible confrontations with members of the public at a crime scene, and protocols for transporting witnesses to and from the crime scene. It is important that patrol officers know how to protect a crime scene and handle witnesses without alienating the community, as this is crucial for maintaining positive police-community relationships and may lead to better cooperation from potential witnesses.⁸⁴
- *How to best contribute to a homicide investigation*, including what patrol officers should look for at a homicide scene, what the various units need from patrol officers, and how patrol officers can add value throughout an investigation.
- *Reducing exposure to bloodborne pathogens*, including how to properly sanitize their patrol vehicle after transporting an injured victim from crime scene to a hospital.⁸⁵

Division Detectives – Special Investigations Unit

Within the Investigations Bureau are six regional detective units located throughout Philadelphia (East, Northwest, Northeast, Central, Southwest, and South). These “division detectives” investigate incidents such as fraud, theft, burglaries, robberies, and nonfatal assaults. **The division detectives’ Special Investigations Unit (SIU), which is distinct from the Homicide SIU that investigates cold cases, is responsible for investigating nonfatal shootings.**

The PERF team was told that division detectives’ involvement in homicide investigations is inconsistent. Some reported that division detectives respond to homicide scenes and begin preliminary steps until a homicide detective arrives, while others reported that the division detectives do not respond. In cases where a victim is considered likely to die, the SIU will begin the investigation, but some personnel reported that division detectives will only do the bare minimum because the case will be transferred to the Homicide Unit when the victim dies. As in other PPD units, manpower is a concern in the division detectives’ SIU. Division detectives

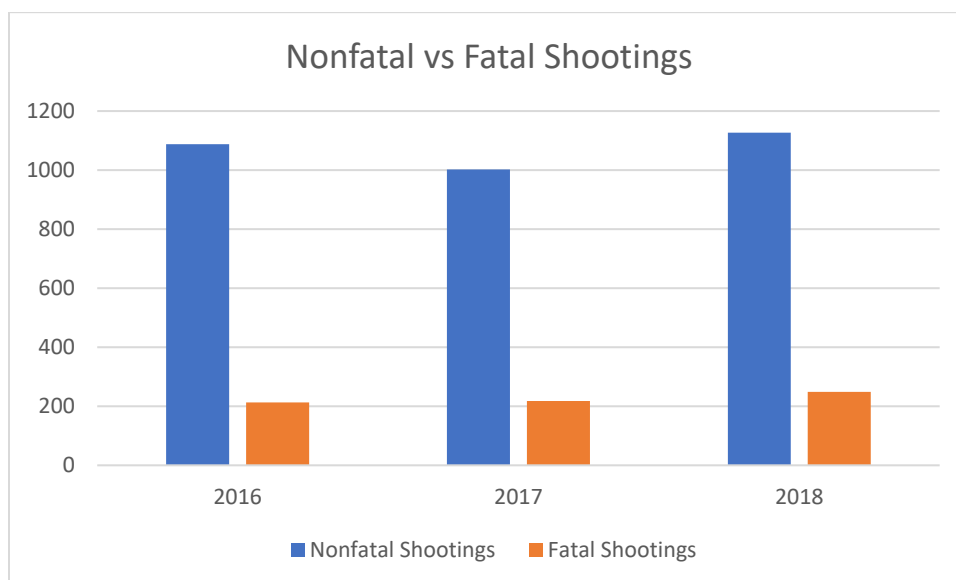
⁸⁴ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

⁸⁵ OSHA’s Bloodborne Pathogens Standard (29 CFR 1910.1030) requires employers to provide training to employees on bloodborne pathogens, including methods used to control occupational exposure. Employers must offer this training on initial assignment, and annually thereafter, or when new or modified tasks affect a worker’s risk of occupational exposure. See, *OSHA Fact Sheet*, available at <https://www.osha.gov/OshDoc/data/BloodborneFacts/bbfact01.pdf>, and *Most Frequently Asked Questions Concerning the Bloodborne Pathogens Standard*, available at <https://www.osha.gov/laws-regs/standardinterpretations/1993-02-01-0>.

reported high caseloads and indicated that some cases are not investigated thoroughly because new cases occur.

In Philadelphia, the vast majority of homicides are committed using a firearm.⁸⁶ For example, firearms were used in 82 percent of homicides in 2017.⁸⁷ In 2016, 83 percent of homicides were committed using a firearm.⁸⁸

But there are more than four times as many nonfatal shootings as fatal shootings in the city.⁸⁹ As shown in the chart below, there were 1127 nonfatal shootings compared to 249 fatal shootings in 2018.⁹⁰ In 2017, there were 1002 nonfatal shootings compared to 218 fatal shootings.⁹¹ In 2016, there were 1088 nonfatal shootings compared to 213 fatal shootings.⁹²



Response to Nonfatal Shootings

Homicide investigations are often closely linked to investigations of nonfatal shootings; these two types of cases share a great deal of overlap in terms of victims, witnesses, and suspects. In many cases, the only thing that differentiates a nonfatal shooting from a homicide is poor marksmanship, good emergency medical care, or pure chance.⁹³ Victims who are critically

⁸⁶ See Murder/Shooting Analysis 2014-2015 and Annual Murder and Shooting Victim Report: 2016. Available at: <https://www.phillypolice.com/crime-maps-stats/>.

⁸⁷ Philadelphia Homicide Victims Data. Available at: <http://data.philly.com/philly/crime/homicides/>.

⁸⁸ Annual Murder and Shooting Victim Report: 2016. Available at: <https://www.phillypolice.com/crime-maps-stats/>.

⁸⁹ Philadelphia Shooting Victims Data. Available at: <http://data.philly.com/philly/crime/shootings/>.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ According to the U.S. Bureau of Justice Statistics, between 1993 and 2011 approximately 60% to 70% of all homicides were committed with a firearm. U.S. Department of Justice, Bureau of Justice Statistics (2013). *Firearm Violence, 1993 – 2011*. <https://www.bjs.gov/content/pub/pdf/fv9311.pdf>.

wounded in a shooting may eventually succumb to their injuries, thus turning the case into a homicide. Someone who commits a nonfatal shooting may commit a homicide if not apprehended. Or a shooting may provoke one or more retaliatory shootings, which could lead to a homicide. **As a result, thorough investigations of nonfatal shootings may help to prevent future homicides.**

Leaders from the Homicide Unit and the division detectives should work collaboratively to define the responsibilities of the detectives from both units. **Regardless of whether the Homicide Unit or division detectives initiate an investigation, it is critical that both units prioritize responding to and investigating homicides and nonfatal shooting incidents. The division detectives should respond to all homicide scenes and begin preliminary investigative steps until a homicide detective arrives. And Homicide Unit detectives should respond immediately to incidents in which a victim is likely to die.** These responsibilities and protocols should be documented in the SOPs, and detectives should be trained on the policies and procedures.

Coordination with Homicide Unit

Most PPD homicide detectives worked previously as division detectives, so there is generally a good relationship between the units. Still, in addition to requiring a prompt and thorough response to nonfatal shootings, the PPD should encourage greater cooperation between the SIU detectives and homicide detectives. Poor coordination between these groups can result in critical information falling through the cracks, which is problematic because nonfatal shootings often involve suspects, victims, and witnesses who may also be involved in homicide cases. **Sharing information helps homicide and nonfatal shooting detectives to identify patterns and connections between their cases, enabling them to more effectively prevent and respond to violent crime throughout the jurisdiction, including potential retaliatory shootings.**

Both division detectives and homicide detectives should have regular, formal meetings to share information on nonfatal shooting investigations and to discuss whether and how nonfatal cases may be linked to fatal shooting cases. It was reported that the division detectives meet every two weeks with supervisors, criminal intelligence, patrol, and homicide detectives to share information. PERF also learned that there are quarterly meetings in the South Division to review all shootings. These are good examples of formal information-sharing, and such meetings should be conducted in each division.

Recommendations: Division Detectives – Special Investigations Unit

- ***Recommendation #53:*** The PPD should prioritize the investigation of nonfatal shootings and require that all nonfatal shootings should be investigated immediately by an SIU detective or homicide detective if the victim is likely to die.
 - Agency leaders should review whether the organizational structure (i.e., the SIU within the division detectives) facilitates the most efficient response to all nonfatal shootings.

- Leaders from the Homicide Unit and division detectives should review and revise the SOPs to ensure that:
 - The appropriate detective unit is notified immediately when any shooting occurs;
 - A detective is assigned to the case and responds to the scene of the shooting; and
 - The assigned detective begins a prompt investigation into the incident.
- Personnel should be trained on these policies and held accountable for following them.
- ***Recommendation #54:*** **The PPD should ensure that all units involved in homicide and nonfatal shooting investigations have the staffing, training, equipment, and technology needed to successfully complete their missions.**
 - **Staffing:** The PPD should review staffing levels of the division detectives' SIU to determine whether additional detectives are needed to meet this goal.
 - **Training:** The PPD should ensure that the division detectives' SIU receives training to understand the capabilities, limitations, services, and policies of the units that support homicide and nonfatal shooting investigations (e.g., the Intelligence Bureau).
 - **Equipment:** The PPD should consider equipping detectives who investigate nonfatal shootings with computers they can use while in the field to access databases and other tools to assist them with investigations. For example, access to laptops or tablets that can connect to the PPD's databases via cellular capabilities or through wireless hotspots created by agency-issued smartphones.
 - **Technology:** The PPD should invest in technology and personnel to help detectives understand and use social media platforms that are often used by homicide and shooting suspects and witnesses.
- ***Recommendation #55:*** **The PPD should improve coordination between the Homicide Unit and the Division Detectives Special Investigations Unit (SIU) that investigates nonfatal shootings. Leaders must emphasize the importance of coordination to all personnel. There is often a great deal of overlap between the cases investigated by these two groups of detectives, and detectives must be aware of any relationships between their cases, suspects, victims, and witnesses.**
 - The PPD should ensure that there are formal information-sharing protocols in place to improve communication between homicide detectives and the Division Detectives SIU (*see Recommendation 47*).
 - The Intelligence Bureau prepares daily situational awareness reports on all shootings and homicides and forwards those reports to the division

commanders and Homicide Unit commander. These reports should also be disseminated to all patrol officers, division detectives, and homicide detectives (*see Recommendation 58*).

- Each division should meet quarterly to review all shootings. These meetings, which are already occurring in the South Division, should include representatives from the division detectives, homicide detectives, gang and narcotics detectives, criminal intelligence, and patrol.
- Homicide detectives should routinely follow up with Division Detectives to determine whether they have relevant information on homicide cases. This step should be included as a step in the homicide unit investigation checklist (*see Recommendation 27*). Homicide unit supervisors should hold detectives accountable for completing this step.
- In addition to formal information-sharing protocols, homicide detectives and detectives investigating nonfatal shootings should be instructed to informally contact each another and share information on a regular basis through email, telephone calls, and text messages.

Other Investigative Units

In addition to coordinating with detectives who investigate nonfatal shootings, it is also critical that homicide detectives work closely with investigators in other specialized units, such as those that handle gang and narcotics cases. Coordination between homicide detectives and narcotics and gang units is particularly important, because the majority of homicides, shootings, and other violent acts are committed by “readily identifiable groups of individuals,” such as gangs and loose neighborhood drug crews.⁹⁴ Members of these same groups are also often *victims* of homicide and violent crime. For example, research in Cincinnati, Ohio identified 60 criminal groups composed of 1,500 people (representing less than 0.5% of Cincinnati’s population) who were associated with 75% of the city’s homicides as a victim, perpetrator, or both.⁹⁵

Given the overlap between gang and drug crimes, shootings, and homicides, gang and narcotics investigators can be a valuable resource for homicide investigations.⁹⁶ For example, these specialized units often use social media, contacts within the community, and confidential informants to gather intelligence about gangs and gang members’ involvement in crimes, and this information is often useful for homicide detectives.

Coordination between homicide detectives and specialized units can be challenging due to a lack of formal information-sharing protocols, a tendency for units to “stay in their own lanes” and

⁹⁴ National Network for Safe Communities. 2016. *Group Violence Prevention: An Implementation Guide*. Washington, DC: Office of Community Oriented Policing Services.
https://nnscommunities.org/uploads/GVI_Guide_2016.pdf.

⁹⁵ *Ibid.*

⁹⁶ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

focus on their own missions, and a lack of time and resources that would allow for greater collaboration. So, it is essential that homicide detectives and detectives from other investigative units establish formal information-sharing protocols to facilitate communication and coordination between the units.

Recommendations: Other Investigative Units

- ***Recommendation #56:*** **The PPD should take steps to improve overall coordination between the Homicide Unit and other investigative units, such as those that investigate gang and narcotics cases. There is often overlap between the cases investigated by these units, and improving coordination could help investigators solve current cases and prevent future crimes.**
 - The PPD agencies should institute formal information-sharing protocols among these units (*see Recommendations 47-48*).
 - In addition to formal information-sharing protocols, homicide detectives and investigators in other units should be instructed to informally contact each other and share information on a regular basis through email, telephone calls, and text messages.

- ***Recommendation #57:*** **Homicide detectives should work closely with gang investigators to share intelligence about criminal networks and groups that are involved in violent crime. This includes intelligence gathered through social media analysis, confidential informants, and community contacts.**
 - Homicide detectives should routinely follow up with gang investigators to determine whether they have relevant information on homicide cases. Sharing information helps to identify patterns (including potential next victims) and connections between cases, enabling detectives to better prevent and respond to crime, including potential retaliatory shootings. For example, it is protocol in some agencies for homicide detectives to contact gang unit detectives to respond immediately to the scene of any homicide involving a young victim or suspect.
 - Detectives in the Homicide Unit and other investigative units should work closely with the Intelligence Bureau, which provides daily situational awareness briefings on all shootings and homicides, showing the links between suspects and victims, as well as any potential gang nexus (*see Recommendations 58 and 59*).
 - Following up with gang investigators and the Intelligence Bureau should be included as a step in the homicide unit investigation checklist (*see Recommendation 27*). Homicide unit supervisors should hold detectives accountable for completing this step.

Intelligence Bureau

PPD's Intelligence Bureau, previously known as the Criminal Intelligence Unit, was reorganized in 2017, and is now led by an inspector. The Intelligence Bureau includes:

- The Real Time Crime Center,
- The Delaware Valley Intelligence Center, and
- The Research and Analysis Unit.

These units are staffed by civilian and sworn analysts who prepare statistics and perform criminal intelligence, qualitative, strategic, and predictive analysis, social media analysis, and GIS/mapping services.

Field Intelligence Officers

The Intelligence Bureau also includes the Field Intelligence Operations Unit, which involves officers talking with suspects in custody to collect information and disseminate it to patrol officers, division detectives, and other investigators, as necessary. If the field intelligence officers, called "debriefers," receive information that pertains to a homicide, they notify the detective assigned to the case and share the relevant information.

District Intelligence Analysts

There are also approximately 35 intelligence analysts who work in the patrol districts and district investigative units. Those analysts are responsible for identifying patterns within their district and compiling the crime statistics for CompStat meetings. Although these analysts work closely with the Intelligence Bureau, they are not within the same chain of command, and instead report to their district commander. The Intelligence Bureau conducts daily calls with the intelligence analysts based in the districts to discuss the previous night's shootings and homicides, as well as other significant incidents or trends.

Intelligence Reports

Since March 2017, the Intelligence Bureau has produced over 400 actionable intelligence products. For example, following a shooting or homicide, the Bureau prepares an initial report called a "white paper" that provides a brief summary of the incident, as well as a snapshot of the victim and suspect. This report is prepared automatically and is disseminated to all the divisions and the investigators, generally within 30 minutes after the shooting or homicide.

Intelligence analysts are also responsible for preparing situational awareness reports on all shootings and homicides.

On a daily basis, analysts in the Intelligence Bureau review all shootings and homicides that occurred within the city the day before, and conduct a link analysis on the victims and names of others involved. The purpose is to determine whether there is a gang nexus or other connection, and to share information throughout the department. The analysts forward the situational awareness reports to the division commanders and the Homicide Unit commander.

The Intelligence Bureau also prepares follow-up reports in response to NIBIN leads that have a gang connection. The purpose of the report is to prepare and disseminate information on persons involved in incidents who may lead to retaliatory crimes. **During the assessment, Intelligence Bureau staff reported that three people were recently arrested based on NIBIN follow-up reports. This is a good example of the value of intelligence reports.**

The Intelligence Bureau is a valuable resource not only to homicide detectives, but also to division detectives and patrol officers. As noted in BJA's best practices guide, "evidence clearly shows that the use of an analyst can significantly support a successful homicide investigation."⁹⁷

However, because it is a relatively new bureau, there is a lack of understanding within the department about the services that Intelligence analysts can provide. The Intelligence Bureau should provide internal training to investigators to educate them on the capabilities and resources that analysts can provide.

In addition, it may also be helpful to assign intelligence analysts to specific investigative units, such as homicide. PERF also learned that there are only two analysts who perform social media analysis. With modern homicide investigations relying more on social media analysis as well as other digital evidence, there should be additional analysts assigned to monitor and analyze social media.

Recommendations: Intelligence Bureau

- ***Recommendation #58:*** The PPD should take steps to improve coordination between the Intelligence Bureau and the Homicide Unit to ensure that crime analysis is being fully utilized in homicide investigations. These steps should include:
 - Revising the Homicide Unit Manual to include protocols for utilizing crime analysis during homicide investigations. Consulting with the Intelligence Bureau should be included as a step in the homicide unit investigation checklist (*see Recommendation 27*). Homicide Unit supervisors should hold detectives accountable for completing this step.
 - Placing intelligence analysts in the investigative units, including the Homicide Unit and the Division Detectives.
 - This may help to facilitate information-sharing about criminal networks and groups that are involved in violent crime.

⁹⁷ Carter, David L. (2013). *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*, Washington, DC: Bureau of Justice Assistance, available at: http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

External Coordination

Police agencies do not operate in a vacuum. They must build strong relationships with prosecutors, courts, medical examiners' offices, other law enforcement agencies in the area, and members of the community that they serve. These relationships can improve the investigations of homicides and other crimes. In one study of investigative practices of selected police agencies with a greater than 80 percent clearance rate for homicide, the research suggested that high clearance rates "were facilitated by a strong community policing presence, collaboration with external agencies, and a culture dedicated to innovation."⁹⁸

Philadelphia District Attorney's Office

***Finding:* The Philadelphia District Attorney's Office has sole authority in determining whether to arrest and charge a suspect with homicide. There is often tension between the Homicide Unit and the District Attorney's Office, because prosecutors often require a greater amount of evidence before authorizing charges.**

Successful homicide investigations rely on strong relationships and respect between investigators and prosecutors.⁹⁹ Studies have shown that a successful relationship between investigators and prosecutors requires delineating clear roles and responsibilities, demonstrating a respect for one another's expertise, viewing the relationship as reciprocal, and understanding that both organizations are working towards the same goal.¹⁰⁰

In Philadelphia, as in many jurisdictions, the prosecutor's office has final authority over decisions regarding arrests, especially in homicide cases. In practice, this means that a prosecutor must review and approve a detective's application for an arrest warrant prior to it being issued. If a prosecutor determines that there is not enough evidence to support the warrant, the prosecutor will instruct the investigator to conduct additional follow-up.

From the perspective of some police investigators, giving prosecutors authority over decisions regarding arrests makes it difficult to make arrests in homicide cases, because the prosecutor may require a degree of evidence that exceeds the Fourth Amendment standard of "probable cause" before authorizing an arrest warrant. Some prosecutors have said that when reviewing a case to determine whether an arrest is warranted, they consider whether enough evidence exists to secure a conviction, not just to arrest the suspect.

For example, a prosecutor may decide not to authorize a warrant in a case involving just one witness, especially if the witness's character or willingness to testify is in question because of previous arrests, involvement in criminal activity, or hesitancy to cooperate. However, some investigators believe that it is easier to secure witness cooperation *after* a suspect has been arrested, because witnesses are less fearful of retaliation if the suspect is no longer on the streets.

⁹⁸ Braga, A., and Dusseault, D. (2018), Can Homicide Detectives Improve Homicide Clearance Rates? *Crime & Delinquency*, 64(3), 290.

⁹⁹ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

¹⁰⁰ Ibid.

These differences in opinion over how much evidence is needed to make an arrest can create tension between homicide detectives and prosecutors.

In homicide cases, it is also common to have differences of opinion about which level of charges should be filed in a particular case (e.g. first-, second-, or third-degree murder or manslaughter charges). Philadelphia District Attorney Larry Krasner has called for an approach to charging in which prosecutors only file charges at a level they believe they can prove beyond a reasonable doubt in court.¹⁰¹

Another obstacle to coordination in many jurisdictions is a lack of informal and formal information-sharing protocols between homicide units and prosecutors. For example, although homicide detectives often engage in frequent communication with line prosecutors, there is often a need for stronger communication between *supervisors* in the homicide unit and the prosecutor's office. Formal information-sharing will help establish a more productive relationship, set a positive tone for the units, and help supervisors proactively address any problems that arise.

Recommendations: Philadelphia District Attorney's Office

- ***Recommendation #61:*** Top officials from the PPD, the Homicide Unit, and the Philadelphia District Attorney's Office should strive to maintain a frequent and open dialogue about their goals, capabilities, limitations, and expectations for one another.
 - Officials should strive to build a strong working relationship, built on respect and reciprocity, and should emphasize the importance of this relationship throughout all levels of their organizations.

- ***Recommendation #62:*** Leaders from the Homicide Unit and the Philadelphia District Attorney's Office should explore strategies for improving communication and coordination on homicide investigations.
 - For example, the Homicide Unit should consider involving the District Attorney's Office at the beginning of the case in order to strengthen homicide investigations.
 - In New York City, prosecutors are on call and routinely respond to the scene of homicides. Prosecutors are then assigned to the homicide case and prepare the required subpoenas and search warrants as the investigation proceeds. Such cooperation from the very beginning of a case can help to prevent misunderstandings and increase the likelihood that prosecutors and detectives will be "on the same page" from the start.

¹⁰¹ See "America's Leading Reform-Minded District Attorney Has Taken His Most Radical Step Yet." *Slate*, December 4, 2018. <https://slate.com/news-and-politics/2018/12/philadelphia-district-attorney-larry-krasner-criminal-justice-reform.html>.

- **The District Attorney's Office should provide cross-training opportunities for Homicide Unit detectives and prosecutors.** Training topics could include the district attorney's policies, relevant case law, and how to produce, document, and present evidence in a way that strengthens its value in court. Homicide detectives should be encouraged to attend any relevant trainings that the prosecutor's office holds for the police department.
 - Prosecutors and homicide detectives should hold weekly meetings together to promote a positive relationship, facilitate information-sharing, and discuss ongoing cases. Homicide unit leaders may want to request that the prosecutor's office assign a prosecutor to meet with homicide detectives to review cases and determine what steps must be taken to enhance investigations.
 - When a case is filed, the lead homicide detective should meet with the forensic scientist and a prosecutor to determine which evidence should be sent for analysis, depending on its probative value.
- **Recommendation #63: The revised Homicide Unit SOP should include a specific process to follow when presenting a case to the District Attorney's Office for an arrest warrant. Currently, detectives have very little guidance on this issue and the process appears to be informal and inconsistent.**
- The process should include the following general steps:
 - The detective completes a report that summarizes the investigation and details the probable cause justification. A copy of this report is added to the case file.
 - The detective reviews the case and the probable cause justification with his or her sergeant and lieutenant. If a reviewing supervisor believes that additional investigation is needed prior to submitting the case to the prosecutor, the supervisor should put the necessary tasks and updated investigative plan in writing. The list should be added to the case file.
 - After completing all the tasks and again reviewing the case with his or her sergeant or lieutenant, and if they agree that the case is ready, the detective submits it to the prosecutor's office.
 - The detective should document all contacts with the prosecutor in an official contact log, which should be made part of the case file.
 - After submitting the case to the prosecutor's office, the detective should document the prosecutor's response, including any follow-up investigative items requested by the prosecutor that must be completed before a warrant is authorized. This document should be added to the case file.
 - Police supervisors should review whether detectives follow this procedure, and it should be part of a detective's formal evaluation. (*See Recommendation 29*)

- If there are tensions between the Homicide Unit and prosecutors regarding how cases are reviewed or how arrest decisions are made, it might be helpful to bring in an outside reviewer, independent from both the PPD and the Philadelphia District Attorney’s office, to conduct a systematic review of all recent homicide cases in which the prosecutor’s office declined to authorize charges or an arrest warrant, despite the detective’s belief that probable cause existed.
 - Ideally, this review would span multiple years and would use a set of objective evaluation measures to determine whether the cases were properly rejected.

Victim and Witness Services

***Finding:* There is often significant reluctance among victims and witnesses of crimes to cooperate with police. Most personnel interviewed by the PERF team pointed to the PPD policy governing witness interviews (Directive 5.23) as a hindrance to witness cooperation. Furthermore, victim assistance and witness protection and relocation efforts are insufficient.**

Witness Cooperation

It is critical that police agencies – including homicide unit personnel – build strong relationships with members of the community. These relationships can help ensure that members of the community feel comfortable coming forward to offer information or otherwise assist with a homicide investigation. Securing cooperation from family members and witnesses often makes the difference between closing a homicide quickly and having the case remain open for an extended period of time.

The importance of witness cooperation to solving homicide cases is supported by research, which has found that having a witness at the scene who is willing to provide valuable information is associated with higher rates of case closure.¹⁰² BJA’s best practices guide states: “If there is a barrier of distrust that precludes widespread substantive information-gathering, the investigation will be limited.”¹⁰³

In Philadelphia, as in many other cities,¹⁰⁴ it is often difficult to secure cooperation from members of the community on homicide investigations. Although the PPD has a robust community relations program, many potential witnesses fear that coming forward will lead to

¹⁰² Wellford & Cronin (1999), *Clearing Up Homicide Clearance Rates*.
<https://www.ncjrs.gov/pdffiles1/jr000243b.pdf>.

¹⁰³ Carter, David L. (2013), *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*.
http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

¹⁰⁴ See *The Stop Snitching Phenomenon: Breaking the Code of Silence* (2009). Police Executive Research Forum and U.S. Department of Justice, Office of Community Oriented Policing Services.
https://www.policeforum.org/assets/docs/Free_Online_Documents/Crime/the%20stop%20snitching%20phenomenon%20-%20breaking%20the%20code%20of%20silence%202009.pdf.

retaliation from others in the neighborhood. People also fear being labeled as a “snitch,” or they have a general distrust of the police. According to one interviewee, the legal “discovery” process for some violent murders has resulted in interview recordings being posted online, disseminated by flyers on telephone poles in neighborhoods, and used to intimidate witnesses and their families.

Personnel at all levels of the PPD cited a lack of witness cooperation as one of the primary reasons for low homicide clearance rates. Because of the “no snitching” culture, it is often difficult to obtain the cooperation of witnesses needed to successfully investigate and prosecute cases.

PPD Policy on Interviewing Witnesses

A majority of PPD personnel interviewed by PERF pointed to a PPD policy—Directive 5.23 – *Interviews and Interrogations – Rights of Individuals and Duties of Law Enforcement*—as a deterrent to obtaining witness cooperation.

This policy has been interpreted to mean that officers responding to a homicide scene must inform potential witnesses that they are not required to be interviewed or to identify themselves.

Personnel interviewed by the PERF team said that the PPD used to be more “forceful” in getting witnesses to come to headquarters to be interviewed. The policy was created to emphasize the fact that any person, including witnesses, cannot be detained unless there is probable cause that the person has committed a crime.

There was no training provided to detectives or patrol officers when this policy was enacted. It appears that officers are attempting to comply with the policy but may inadvertently be discouraging witness cooperation.

The policy was enacted in 2014 as part of the PPD’s process of voluntarily seeking national accreditation as a law enforcement agency. The policy defines the differences between interviews and custodial interrogations. It correctly defines “interview” as a non-custodial conversation with a victim, witness, or even a suspect, and makes clear that the interviewee should feel free to end the interview at any time. Custodial interrogations, on the other hand, involve questioning after a person has been taken into custody or otherwise deprived of his or her freedom. Police must provide *Miranda* warnings prior to any custodial interrogation.

With respect to interviews, the policy states that “investigators should give clear notification that the questioning is non-custodial and that the person being questioned is free to discontinue and leave at any time.” For interviews conducted in the field, “the identity of all complainants and witnesses will be documented and transported to the detective division of occurrence when possible,” but “any complainant or witness has the right to refuse to be transported and the right to refuse to speak to the police.”

Because this policy has resulted in confusion or doubt among PPD personnel about the extent to which they must proactively make clear to witnesses that interviews are voluntary, PPD and the District Attorney’s Office should clarify the policy, and PPD patrol

officers and detectives should receive training, perhaps from the District Attorney’s Office, about how to comply with legal requirements while also encouraging witnesses to cooperate.

Requesting Help from the Public

The PPD also seeks cooperation from witnesses via anonymous and confidential tips from the public. The **Digital Video Image Response Team**—which consists of one officer within PPD’s Public Affairs Office—prepares and releases videos to the public via the news media, Twitter, Facebook, and YouTube. These videos request the public’s help in identifying suspects or persons of interest who are recorded on surveillance video. The videos typically include the date, time, and location of the incident, a description of the suspect/person of interest, the case number, and how to contact the appropriate PPD division or submit an anonymous tip.

The majority of the videos prepared and released to the public relate to crimes other than homicide. According to statistics provided by the PPD, the team posted approximately 700 videos in 2017, but only 17 YouTube videos were related to homicide cases, and eight videos in the first three months of 2018 were related to homicide cases. Considering that there were 307 reported homicides in 2017, these numbers seem low.

Like other units within the PPD, the Public Affairs Office lacks sufficient staffing, equipment, and technology to handle the workload. The PPD should consider increasing the number of staff members assigned to the Digital Video Image Response Team to release all usable video related to homicides as quickly as possible. The team should also be equipped with a sufficient number of high-performing computers and a fast internet connection in order to adequately handle the workload.

Witness Protection and Relocation

Crime witnesses’ willingness to cooperate with detectives and prosecutors sometimes depends on whether they can receive protective services or relocation. The PPD does not provide relocation services. The Philadelphia District Attorney’s Office has a Victim/Witness Services Unit that provides such services, but according to interviews with PPD personnel, the process is very slow and cumbersome.¹⁰⁵ Effective witness protection requires substantial resources, and it appears that neither the PPD nor the District Attorney’s Office has such resources. The PPD should work with the District Attorney’s Office to determine the most effective approach to providing witnesses with safety measures to encourage cooperation with investigators and prosecutors. Both organizations should research grant funding opportunities to assist with the costs of implementing a robust witness protection program.

The Homicide Unit has a Victim Assistance Officer (VAO) who is responsible for serving as a liaison for victims of crime and helping victims apply for compensation through the Victims Compensation Assistance Program. Although the VAO receives training in crime victimization and crisis intervention techniques, the PPD lacks the resources to provide more in-depth services

¹⁰⁵ The PERF team attempted repeatedly to speak with someone in the unit but was unsuccessful.

to victims. To expand the services offered to victims, the PPD should consider collaborating with counselors, interns from local universities, and volunteers from nonprofit organizations dedicated to helping survivors of violent crime.

Recommendations: Victim and Witness Services

- ***Recommendation #64:*** The PPD should work with the District Attorney’s Office to strengthen the witness protection program for those who come forward to provide information regarding a homicide investigation. These services can help address concerns that potential witnesses may have about their safety and the possibility of retaliation.
- ***Recommendation #65:*** Top officials from the PPD, the Homicide Unit, and the Philadelphia District Attorney’s Office should work together to clarify the policy of notifying witnesses of their right to not cooperate with the police (Directive 5.23).
 - As currently written, there is confusion among officers as to how to comply with the policy. There is a concern that some officers, intending to adhere to the policy, may unnecessarily be deterring individuals from being interviewed.
 - Officers should receive training, perhaps from the District Attorney’s Office, on how to comply with the policy while also encouraging witnesses to cooperate.
- ***Recommendation #66:*** The PPD should continue its efforts to implement strong outreach programs and other community-wide initiatives aimed at improving the relationship between police and the community.
 - Strengthening the community’s trust in police is a key step toward increasing the willingness of community members to cooperate with police investigations.¹⁰⁶
- ***Recommendation #67:*** The PPD should strengthen its use of social media to share information with the community and solicit investigative tips. Specifically, the PPD should invest in additional technology and personnel for its Public Affairs Office to use social media (e.g., Facebook, YouTube, Twitter) to share information with the community and solicit investigative tips.
 - The PPD should ensure that the Public Affairs Digital Video Image Response Team has sufficient staffing, high-performing computers, and a fast internet connection in order to adequately handle the workload.
 - The Homicide Unit should work with Public Affairs to disseminate information about serious crimes and arrests via social media platforms.

¹⁰⁶ Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

- The Homicide Unit SOP should include policies and procedures on sharing information via social media in the Homicide Unit Manual. (*See Recommendation 1*).
- The SOP should include a requirement that the homicide detective notify Public Affairs to remove a video about a particular crime when a suspect has been arrested.

➤ **Recommendation #68: The PPD should conduct a survey of witnesses, family members, and associates of homicide victims to identify problem areas and determine possible solutions to improving relationships. Finding ways to improve the treatment of witnesses, family members, and associates of homicide victims will increase the likelihood of identifying homicide suspects.**

- The PPD should consider collaborating with a local nonprofit organization dedicated to helping survivors of violent crimes. For example, Families of Murder Victims (FMV),¹⁰⁷ a program under The Anti-Violence Partnership of Philadelphia, helps family and friends of homicide victims obtain resources, answer questions about case status, and navigate court proceedings.
- To illustrate another example, the Chicago Police Department (CPD) partners with Chicago Survivors, a program of Chicago's Citizens for Change that seeks to address the needs of surviving families who have been harmed by violence. Specific efforts have included the following:
 - Chicago Survivors works with the Chicago Department of Public Health to provide crisis intervention services to survivors of violence during the first 48 hours after an incident.
 - Chicago Survivors staff members are trained and made available to de-escalate interactions with family members as well as to de-escalate community tensions at crime scenes.
 - The Chicago Police Department collaborated with Chicago Survivors to facilitate case reviews of unsolved homicides. CPD identified cases that were unsolved for more than a year and set up a process where families could have a frank discussion with detectives about the progress of the case.
 - The CPD also worked with Chicago Survivors to prevent retaliation incidents. During the first 48 hours after an incident, the organization's crisis responders conduct a retaliation assessment, which looks at the victims' loved ones and determines whether there has been any plan for retaliation. If so, police try to identify who might retaliate, whether the individual(s) have access to guns, and if the individuals are using drugs or alcohol.

¹⁰⁷ Families of Murder Victims, <http://avpphila.org/families-of-murder-victims-fmv/>.

- **Recommendation #69:** Top officials from the PPD and the District Attorney’s Office should strive to maintain a frequent and open dialogue about their goals, capabilities, limitations, and expectations of each another with regard to witness protection.
- **Recommendation #70:** The PPD should strengthen protections for witnesses who come forward to provide information regarding a homicide investigation.
 - The PPD should update written policies governing victim/witness services to incorporate added protections for victims/witnesses.

Office of the Medical Examiner

Finding: Patrol officers often transport homicide victims to the morgue because the Philadelphia Office of the Medical Examiner lacks the staff or equipment necessary to transport bodies.

In addition, homicide detectives do not routinely attend autopsies. They are, however, required to pick up evidence from the morgue.

The Homicide Unit SOPs indicate that the Office of the Medical Examiner (OME) will send an investigator to a homicide scene if the victim is pronounced dead at the scene. The PERF team was told that a technician from OME responds to homicide scenes in only about half the cases.

PERF also learned that patrol officers often transport bodies to the morgue because the OME does not have the equipment or personnel necessary to transport bodies. Every patrol shift has a wagon to transport bodies. If a wagon is not available, two patrol officers are directed to pick one up to transport a body.

The SOPs do not provide any guidance on whether detectives are required to attend autopsies, but PERF learned through interviews that detectives do not routinely attend post-mortem examinations. The Homicide Unit should develop specific policies and procedures on when detectives should attend autopsies. Attendance at the autopsy provides the detective with an opportunity to communicate directly with the medical examiner, which in some cases offers additional insight into the homicide investigation.

The SOPs also include a Captain’s Order, dated November 8, 2017, requiring investigators to respond to the OME to “collect any material of relevance to their investigations from all of their 2017 cases” as well as all future cases. PPD personnel told the PERF team that they must pick up any physical evidence recovered from the body and transport it themselves to the lab for testing. Considering homicide detectives’ caseloads, this may not be the best use of their time. However, the Office of Forensic Science and the OME also lack sufficient staffing.

Leaders from the Homicide Unit, the Office of Forensic Science, and OME should work collaboratively to determine solutions regarding homicide response, transportation of homicide victims’ bodies, and evidence collection.

Recommendations: Office of the Medical Examiner

- **Recommendation #71: Homicide detectives should routinely attend autopsies. This requirement should be documented in the Homicide Unit SOPs and conveyed to Homicide Unit detectives and sergeants.**
 - Attending autopsies should be strongly encouraged, if not required, because it allows for real-time information-sharing between the detective and the forensic pathologist.
 - This benefits both sides by informing the pathologist of specific questions that may be pertinent to a case and providing the detective with information about the victim and the body. By attending the autopsy, the detective is given information that may be important when speaking to witnesses or searching for additional evidence.
 - Attending autopsies is a best practice in the BJA homicide investigations handbook. In all seven law enforcement agencies studied in the BJA project (Baltimore County; Denver; Houston; Jacksonville, FL; Richmond, VA; Sacramento County, CA, and San Diego), the lead homicide investigator is always present during the autopsy. “Investigators agreed that this is a critical component in the investigation,” the BJA report states.¹⁰⁸

- **Recommendation #72: Leaders from the PPD and OME should work together to improve communication and coordination between the organizations, and to develop clear policies and procedures regarding homicide response, transportation of homicide victims, and evidence collection.**
 - When developing these protocols, agency leaders should solicit input from homicide detectives, Crime Scene Unit and forensic lab personnel, and OME technicians.
 - If feasible, CSU officers or OME technicians should transport evidence from the hospital or morgue to the PPD’s Office of Forensic Science for testing (e.g., the Firearms Identification Unit or DNA lab), or to the Homicide Unit if no testing is required.

¹⁰⁸ Carter, David L. (2013), *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances*. Page 19. http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

Conclusion: What the Philadelphia Police Department Can Do Immediately to Improve Homicide Investigations

The Philadelphia Police Department’s mission is to “to reduce crime and enhance the quality of life in Philadelphia [through] intelligence-led policing; innovative approaches to preventing and solving crime; the effective use of technology; collaboration with community, businesses and government partners; and a commitment to respectful and constitutional interactions with people.”¹⁰⁹ At the core of this mission is the idea that protecting human life is paramount.

When the city’s homicide rates begin to rise, it is more important than ever that the PPD take all possible steps to reduce killings, investigate homicide cases thoroughly, and bring perpetrators to justice. In 2013, the PPD reported a 70 percent clearance rate for homicides, above the national average. However, since 2014, the number of homicides has increased, and the clearance rate has declined to 42 percent.

The clearance rate is important indicator of police effectiveness. When homicide cases go unsolved, it can diminish the public’s confidence in the police and undermine a police agency’s sense of legitimacy in the community.

What the Research Tells Us

Dr. Charles Wellford, Professor Emeritus at the University of Maryland and one of the leading criminologists in the United States on issues of homicide and violent crime, served as a consultant on a major project that PERF conducted with BJA on homicide investigations.

Following is what Dr. Wellford said about factors that separate police departments with high homicide clearance rates from agencies with low clearance rates:

What do we know from the research on improving homicide clearance rates? ...One of the key messages from the research is that if a police agency wants to prioritize clearing homicides, it needs to look *internally*, not externally.

In other words, Dr. Wellford explained, high clearance rates are more a function of “the things that police do – how they conduct the investigation, the steps they took during the process, the quality of their homicide units,” as opposed to external factors, such as differences in the types of homicides that are committed in one city compared to another, such as drug-related homicides vs. domestic violence homicides.¹¹⁰

Wellford then listed five areas in which police departments with high clearance rates excel, starting with a department’s leadership:

Leadership. In police agencies with high homicide clearance rates, one common thing we’ve found is that the agency’s top leaders have made clearing homicides a priority – and

¹⁰⁹ Philadelphia Police Department website: <http://www.phillypolice.com/>.

¹¹⁰ *Promising Strategies for Strengthening Homicide Investigations* (2018). PERF and the U.S. Department of Justice, Bureau of Justice Assistance. Pp. 17-18.

their actions reflect this priority... Leaders meet with the homicide unit on a regular basis to review how it's going and what they're doing. Leaders can set specific goals for the homicide unit, and signal support to the unit by prioritizing their needs when it comes to allocating resources.

Resources. If you ask homicide unit supervisors and detectives what they need to raise their clearance rates, almost all of them will start by saying, "We need more people in the unit." ... Looking at caseloads, the [recommended] number we often see in the literature is three to six new homicide cases per detective, per year. Although there isn't a strong evidence base for this number, I do know that having a lot of staffing resources at the beginning of an investigation that work as a team appears to be very important.

In addition to adequate staffing, ensuring that homicide units have resources such as smartphones, take-home vehicles, overtime and on-call pay, etc. can signal that solving homicides is a priority.

Policies. Another characteristic that appears to be associated with strong homicide units is the presence of strong policies that lay out in detail how a homicide investigation should be conducted. A good policy will have a built-in process for periodically reviewing and auditing investigations. Strong policies will also have investigative checklists that spell out what steps need to be taken and when – for example, what needs to be done by the end of the shift, at the end of 24 hours, etc.

Practices. The way that homicide investigations are conducted, and the way that homicide units are built – these things matter when it comes to solving cases. The experience that a homicide investigator has can be an important factor, as can the way that detectives are selected, trained, and supervised. We've also found that case file organization and management can play a role in ensuring effective investigations. When you walk into a department and find case files that are organized with sections that are clearly marked, and all the materials are in the right place, and there is documentation that follow-up clearly occurred, it makes you feel comfortable that the cases are being investigated correctly.

Internal and External Support. We've found that coordination with crime analysts, forensic analysts, and other agency personnel can really help promote strong homicide investigations. Forensics and technology are increasingly important to solving crimes, and so detectives need to understand how these tools can help with their investigations and how to build strong relationships with the people performing these functions. And of course, it is always important to have support from the community. To build relationships with people in the neighborhood, with victims' families, with survivors' groups – that is critically important.¹¹¹

Applying the Research in Philadelphia

With Dr. Wellford's research findings in mind, PERF conducted an analysis of the homicide investigation policies and practices of the Philadelphia Police Department. Following are some of the major points detailed in this report:

¹¹¹ Ibid.

Leadership and accountability: The PPD’s Homicide Unit currently lacks the necessary systems and infrastructure to provide proper guidance and supervision for those involved in homicide investigations. The PPD therefore must make operational and organizational changes to reduce the number of homicides and increase the clearance rate.

In practice, this means that the Homicide Unit must update its policies to reflect best investigative practices, implement thorough investigative plans and supervisory case reviews, and hold personnel accountable through rigorous selection and evaluation processes.

Implementing formal case review and improving the standards for case file organization could significantly increase the clearance rate. Without these tools, most of the other recommendations in this report will be difficult to implement.

Resources: The PPD’s Homicide Unit currently faces many challenges with respect to resources. The unit lacks the foundational tools typical of high-performing homicide units.

Up-to-date computers, individual workstations, and department-issued cell phones would greatly assist detectives in performing their jobs and would increase productivity. The Homicide Unit’s office space is also in significant disrepair and is inadequate for detectives and for the witnesses and suspects who come to the unit. PERF recognizes that relocating to a new facility is an expensive and time-consuming endeavor, and that there are plans to move to a better facility.

Digital evidence: It is also important to note that rapidly increasing role of digital evidence in conducting homicide investigations. The modern homicide investigator must be an “information manager who can coordinate and integrate information from a wide range of sources to drive the investigation forward.”¹¹²

Many of today’s homicide investigations rely on the analysis of digital evidence contained in smartphones, computers, social media accounts, and video footage from security cameras. For example, a smartphone belonging to a homicide victim or suspect can provide a wealth of information about the location of the suspect at the time of the homicide; the emails, texts, or other messages the suspect or the victim was sending prior to the crime; the names and contact information for many or all of the victim’s or suspect’s friends and associates; the victim’s or suspect’s activities and favorite places to socialize, etc.

Organizations and units that process and analyze digital evidence must be well-staffed, thoroughly trained, and equipped with the technology they need to perform their duties. Homicide investigators must also understand the capabilities, limitations, and legal requirements for collecting digital evidence.

Crime analysis: In addition, advances in crime analysis are allowing investigators to better identify crime patterns, draw links between people involved in crimes, and build strong cases

¹¹² Carter, David L. (2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

against suspects. These new investigative techniques require detectives to possess a different set of skills than in the past.

Nonfatal shootings: It is also critical that the PPD thoroughly investigate nonfatal shootings as part of a larger prevention strategy. Because homicides and nonfatal shootings are so closely linked in terms of victims, witnesses, and suspects, it is imperative that the PPD prioritize nonfatal shooting investigations in order to prevent future homicides.

Steps the PPD Can Take Immediately

Many of the recommendations included in this report will require long-term planning and implementation. However, there are steps that the PPD can take now to address the most significant findings and immediately strengthen its homicide investigation processes. These findings and recommendations include the following:

- **Homicide Unit Standard Operating Procedures:** The SOPs governing homicide investigations do not provide meaningful guidance or accountability, and many detectives were unfamiliar with the SOPs.
 - **Recommendation:** Revise the SOPs governing the Homicide Unit to include standard policies and protocols that personnel must follow, including a standard investigative checklist, investigative plan, and supervisory case review process. (*See Recommendations 1-4.*)
 - **Recommendation:** Create a homicide investigations team to provide input on policy development, share ideas for implementing these recommendations, and discuss strategies and next steps. Members of the team should include leaders from other PPD units that are involved in homicide investigations (e.g., Division Detectives, the Office of Forensic Science), as well as representatives from the Philadelphia District Attorney’s Office. (*See Recommendation 5.*)
- **Case planning and review:** PERF found no formal case planning or review system to ensure that cases are being thoroughly and effectively investigated. There must be systems in place to provide guidance and supervision for those involved in homicide investigations. PPD detectives also do not routinely develop a formal investigative plan when beginning a homicide case.
 - **Recommendation:** Develop a formal case planning and review process and hold supervisors accountable for performing supervisory case reviews. Update the SOPs to reflect promising investigative practices and require thorough investigative plans and supervisory case reviews. (*See Recommendations 26-28.*)
- **Case Documentation and Organization:** The case files that PERF reviewed were disorganized and did not reflect any evidence of an investigative plan or formal case review. PERF also found evidence and personal property contained within the files.

- **Recommendation:** Develop a case file index and standard forms to include in the homicide case file, including an investigative plan and a case checklist. The Homicide Unit should also consider developing a case file organization guide to provide uniformity within the unit. (*See Recommendations 32-33.*)
- **Detective supervision and evaluation:** Detectives and supervisors are evaluated yearly on a pass/fail basis. The lack of supervision and absence of a thorough performance evaluation prevents unit leaders from documenting poor performance and holding detectives and supervisors accountable. It also prevents supervisors from identifying and rewarding superior performance.
 - **Recommendation:** The Homicide Unit should develop an evaluation system that specifically assesses each detective's performance in conducting homicide investigations. The Homicide Unit should develop a similar form to assess each sergeant's performance. (*See Recommendations 29-30.*)
- **The response to nonfatal shootings:** The response to nonfatal shootings is inconsistent among homicide detectives and the regional division detectives. There is a lack of communication and coordination between the Homicide Unit and the Special Investigations Unit, which is responsible for investigating nonfatal shootings.
 - **Recommendation:** Thorough investigations of nonfatal shootings may help to prevent retaliatory shootings and future homicides. Thus, all units involved in homicide and nonfatal shooting investigations must have the staffing, training, and equipment to ensure that detectives are able to respond and thoroughly investigate each incident. The Homicide Unit and the Special Investigations Unit should work collaboratively to define the responsibilities of the detectives from both units. (*See Recommendations 53-55.*)
- **Processing digital evidence:** Digital evidence services in the PPD are decentralized and inefficient.
 - **Recommendation:** Homicide detectives are increasingly relying on digital evidence as part of their investigations. The PPD should therefore make a major investment into how digital evidence is collected, recovered, and analyzed. For example, the PPD should streamline the provision of digital evidence services, notably the recovery and analysis of cell phone and video evidence. The SOPs that govern digital evidence must be revised and incorporated into the Homicide Unit SOPs. Homicide detectives should receive training to understand the legal and technical issues surrounding collection, extraction, and analysis of digital evidence.
- **Collaboration with the District Attorney's Office:** There is a lack of communication and coordination between the District Attorney's Office and the Homicide Unit.
 - **Recommendation:** Leaders from the Homicide Unit and the District Attorney's Office should explore strategies for improving collaboration between the two

organizations. For example, prosecutors should become involved in the case at the beginning of the investigation. Both agencies can provide cross-training for detectives and prosecutors and should consider holding weekly meetings to promote a positive relationship, facilitate information-sharing, and discuss ongoing cases. (*See Recommendations 61-63.*)

- **Encouraging witness cooperation:** A majority of personnel interviewed by the PERF team pointed to a lack of witness cooperation. The PPD policy governing witness interviews is confusing and may have the unintended effect of discouraging witnesses from agreeing to be interviewed.
 - **Recommendation:** The PPD, in conjunction with the District Attorney’s Office, should clarify the policy to prevent unnecessary confusion and impediments to interviewing witnesses. After any revisions are made, leaders from the PPD’s Training Bureau, patrol, and investigative divisions should work with the District Attorney’s Office to develop and deliver training for all PPD personnel on how to comply with the policy, while also encouraging witness cooperation. (*See Recommendations 64-70.*)

PERF, with support from BJA, is committed to providing ongoing technical assistance to help the PPD implement the recommendations contained in this report. As part of this effort, PERF can provide the PPD with sample policies from other police agencies and can help the department identify additional resources regarding investigative best practices. PERF also can establish a group of experts experienced in a cross-section of investigative techniques who can provide the PPD with training and technical assistance. And PERF can connect the PPD with other police agencies that can provide peer-to-peer assistance.

The PPD is beginning to implement the necessary steps to demonstrate to the community that preventing and solving homicides are top priorities for the department. Participating in this project is a major first step toward this goal. The PPD should build upon these efforts by ensuring that its personnel have the resources, guidance, and support they need to conduct thorough homicide investigations and serve the City of Philadelphia.

Appendix A: Philadelphia Police Department Homicide Assessment Project Team

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Appendix B: Sample Policies and Procedures

PERF can provide sample policies, procedures, and other guidance to assist the Philadelphia Police Department in developing a thorough and substantive Homicide Unit Manual. These include:

- Sample Homicide Unit SOPs
- Homicide response checklists
 - Crime scene log
 - Crime scene checklist
 - Patrol supervisor checklist
- Homicide case file checklists
 - Initial response checklist
 - Supervisory review checklist
- Homicide detective orientation and training checklist
- Training requirements for new homicide detectives
- Case file organization guides
- Sample performance evaluation forms

Appendix C: References and Resources

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