

City of St. Louis Department of Public Safety/Division of Corrections
POLICY & PROCEDURES

CHAPTER:	3	Institutional Operations	3.3.7
SECTION:	3	Rules, Discipline, and Rights	EFFECTIVE DATE: 4 / 8 / 20
SUBJECT:	7	Criminal Violations	
STANDARDS: ACA – 4 – ALDF: 6C-02, 6C-19, 2A-11			
APPROVED:			REVIEW DATE: 4 / 8 / 20
<hr/> Dale Glass COMMISSIONER OF CORRECTIONS			REVISION DATE 6 / 24 / 20
Rescind: 3.3.7 dated 3/7/16 Cancel:			

I. POLICY

It is the policy of the St. Louis City Division of Corrections to refer alleged criminal violations of local, state, and federal laws to the St. Louis City Metropolitan Police Department for prosecution.

II. RESPONSIBILITIES

All Division of Corrections employees, contractors, and volunteers are responsible for adhering to the following procedures.

III. DEFINITIONS

Administrative Report: A report prepared by a Correctional Investigator containing witness statements, written reports, physical evidence, photographs of the incident and individual (s) involved, audio/video recordings, the Correctional Investigator's summary of the incident and other documents that may be used in the prosecution of a criminal violation.

Criminal Violation: Behavior that is in violation of any local, state, or federal statute.

Correctional Investigator: Staff assigned the responsibility of investigating official allegations of misconduct and/or illegal acts.

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Crime Scene: The immediate area where a criminal violation has been discovered and an area surrounding that scene of a reasonable dimension to ensure that potential evidence is not disturbed or compromised in any manner.

Dangerous Contraband: Illegal or prohibited items that would aid in the escape from the facility or could be used as a weapon; or otherwise poses a serious threat to institutional security.

Evidence: Item(s) found at the scene, audio/visual recording, or specimen serving as proof to establish that a criminal violation has been committed and that could aide in the prosecution.

Facility Administrator: As noted in the ACA Standard and for the purpose of this procedure and work rule means the Appointing Authority or designee.

Internal Affairs Unit: A DOC work unit under the supervision of the Appointing Authority/designee.

Investigation: The systematic process of collecting evidence, evaluating and reporting statements from witnesses to determine validity of an allegation.

IV. PROCEDURES

A. General Information

1. The Supervisor will contact the St. Louis Metro Police Department when a criminal violation is committed. The Supervisor will document the name, DSN of the Officer notified, date and time of the notification.
2. Any Correctional employee witnessing and having knowledge of criminal violations are required to report it to their Supervisor immediately and, afterwards, prepare and submit an Incident Report by the end of tour of duty. (See DOC # 3.1.10: Incident Reporting).
3. Correctional employees are required to properly prepare all written documentations related to the incident and enter the information in the IJMS Event log and/or in a permanent log as provided in policy # 3.1.19: Standards for Maintaining Permanent Logs.
4. Inmates suspected of committing criminal violation will be searched in accordance with Policy #3.1.11: Inmate Searches.
5. Correctional Investigator will investigate the alleged criminal violation and contacts the St. Louis Metro Police Department for prosecution when directed by the Appointing Authority/designee (see DOC # 1.1.14: Internal Affairs).

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B. Police Department Notification

1. Upon discovery of an alleged criminal violation the Supervisor will be notified immediately.
2. The Supervisor will respond by conducting an investigation to the alleged violation, collect and preserve all evidence that may be used for prosecution. (See 3.1.28: Crime Scene Management & Evidence Handling; 3.1.11: Inmates Searches and 3.1.12: Control of Contraband).
3. No evidence will be touched or moved unless it is considered a dangerous contraband or may compromise the safety and security of the facility.
4. The Supervisor will notify the St. Louis Metropolitan Police Department, the Correctional Investigator and other authorities as appropriate when a criminal violation has occurred.
5. The Supervisor will allow the St. Louis Metro Police Department access to the crime scene and will obtain the responding Police Officer (s)' name, DSN and a police report number.
6. The Supervisor will complete a detailed report and forward all reports received from staff members and/or witnesses to the Chief of Security for review.
7. The Correctional Investigator will take full authority over the crime scene after the police have completed their part of the investigation.

C. The Investigation

1. The Appointing Authority/designee will direct the Correctional Investigator to investigate allegations of criminal violations. (See 1.1.14: Internal Affairs).
2. The Correctional Investigator will conduct the investigation and submit an administrative report to the Appointing Authority/designee.
3. The Correctional Investigator will submit the Administrative Report to St. Louis Metro Police Department when authorized by the Appointing Authority, for prosecution.
4. A copy of the report will be forwarded to the Record Retention Supervisor for inclusion in the inmate's custody records.

D. Subpoena (s) to Staff and Inmates

1. The Records Retention Supervisor will maintain a record log of all subpoenas issued by the court to be served to staff and inmates and will dispose records in accordance with official procedures for record disposition.

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2. If Subpoena is from a judge or other authorized legal entity, the employee receiving the Subpoena will notify Records Retention as soon as possible so a copy/notification can be sent to City Attorney.
3. If the Subpoena is from Civil Service case, a Correctional Investigator will have party being subpoenaed to sign. The Correctional Investigator may keep a log for records that the task was completed.
4. When an employee is served a subpoena by the Correctional Investigator, the staff member will sign the log maintained by the Internal Affairs Unit to verify receipt of the subpoena.
5. When a staff member is subpoenaed to testify in court proceedings, the staff member is required to appear as directed. The Correctional Investigator will coordinate the availability of staff members when required.