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Burglary: Hot Prowl Definition and Notifications
(Re-issue DB 15-123)

The purpose of this bulletin is to define a “hot prowler” burglary and to advise members of the notification requirements for burglary investigations. When suspects are not identified and arrested at the scene, burglaries - including commercial, residential, and “hot prowler” burglaries, are difficult to solve and prosecute without physical evidence, such as fingerprints, DNA or video footage. Identifying and proving that a suspect was inside the burglarized unit is essential to a successful burglary conviction.

With this in mind, members conducting a preliminary investigation at the scene of a burglary shall perform a diligent search of areas where physical evidence may be found. Members shall notify the Department Operations Center (DOC) of all “hot prowler” burglaries and all other burglaries where any physical evidence is located. *The DOC does not determine whether CSI responds to a crime scene.* The investigating officer, who is at the crime scene, shall assess whether there is possible evidence to collect and process and then make the request for Crime Scene Investigations (CSI) if necessary. If the member is unsure whether a CSI response would benefit the investigation, the member should contact CSI for advice, if possible.

Hot Prowl Burglary Defined:

A “hot prowler” burglary is a first degree burglary where, “Another person, other than an accomplice, was present in the residence during the commission of the burglary.” Knowledge that the dwelling was occupied is not an element of a “hot prowler” burglary.

The only required elements are the following:

1. The entry was either partial or complete;
2. The suspect intended to commit larceny or any felony; and
3. There was a presence of a non-accomplice inside the residence during the commission of the burglary.

Some examples that may qualify as a “hot prowler” burglary include:


1. A burglar is surprised in the midst of a burglary when the victim returns home.
2. A downstairs flat is being burglarized, and the neighbor goes to investigate and confronts the suspect inside the downstairs flat.
3. A victim reports an item missing overnight, but the victim has not positively seen the item before going to bed, and there are no other signs of a burglary.

4. A burglar enters an attached garage area of a single-family residential home and makes no attempt to enter the occupied living area, but encounters a resident inside the garage.
5. A burglar enters an attached garage area of a single-family residential home and makes no attempt to enter the occupied living area, even though someone is upstairs or inside and there is no encounter.
6. A burglar inserts a tool into a door jamb and scares the occupants, prompting them to flee the residence before the burglar gains complete access into the home.

Hot Prowl Burglary Notifications:

1. Members shall notify the DOC of all “hot prowl” burglaries, which are entered into the Daily Crime Summary.
2. During business hours, Mon – Fri, 0800 hours - 1600 hours, members shall notify CSI directly at (415) 553-1506 for a CSI response.
3. During non-business hours, the investigating officer shall notify the on-call CSI member through the DOC for a response.

Members assigned to the Airport Bureau shall follow San Mateo County protocols for Burglary - Hot Prowl investigations and notifications.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, sworn members are required to electronically acknowledge this Department Bulletin in HRMS.