Portland Police Bureau

Manual of Policy and Procedure

Integrity • Compassion • Accountability
Respect • Excellence • Service

(On-line Version)

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To the men and women of the Portland Police Bureau:

This 2009 edition of the Manual of Policy and Procedure includes many new directives and incorporates significant changes to existing directives.

You will note that some directive titles have been changed. The new and revised directives are the result of what we have learned and they reflect the current best practices from a national perspective. Any new policy or procedure changes at the state, local and Bureau level will be issued to members as signed Executive Orders during the next two years and included in the next manual.

All directives in the manual are in searchable format on the Bureau Intranet and Internet at www.portlandpolicebureau.com. Forms which are listed in the “Refer” section of the directives are available from the originating Division/Branch or may be found on the Intranet.

All employees should read the section below titled “What’s New in this Edition” to see what changes have been made. Since it is not possible to anticipate every situation that may arise or to prescribe a specific course of action in each scenario, all members are expected to use their common sense and good judgment in the delivery of Bureau services.

Highlights of What’s New in This Edition

2007 Revisions and New Directives Published as Executive Orders:

010.00 Directives Manual
The manual will now be reviewed on a biennial basis.

120.00 Inspections, Responsibility and Authority
This directive has been modified to reflect new inspection date requirements.

210.22 Executive and Management Leave
This new directive provides guidelines for executive and management leave.
315.00  Laws, Rules and Orders
New language reflects restrictions on when members may take action.

330.00  Internal Affairs, complaint Investigation Process
This directive has been significantly revised to reflect partnership between the Bureau and IPR.

335.00  Use of Force Review Boards
This directive has been significantly revised. The Performance Review Boards sections were removed and inserted into a new directive.

336.00  Performance Review Board
This is a new directive that separates the criteria for Performance Review Boards from 335.00 Use of Force Review Boards.

415.00  Return to Work Policy
This is a new directive relating to City of Portland’s administrative rules regarding procedures for employees returning to work.

630.05  Vehicle Pursuits
Several sections of this directive have been revised to reflect concerns and new procedures on engaging in pursuits.

630.45  Emergency Medical Custody Transports
This new directive provides members with an understanding of their responsibilities on scene and the role of EMS and MCDC facility medical staff.

630.60  Vehicle Disposition
Deleted references to ATTF and replaced with designated VIN inspector. The number of days for operator’s license expiration and/or valid driver’s license (City Code16.30220k3) was revised.

630.61  Stolen Vehicles
Deleted references to ATTF and replaced with designated VIN inspector.

630.85  Drug Free Zone Ordinance
This directive was rescinded on October 1, 2007.

762.00  Mobilization
This directive has been significantly revised. New reporting locations are listed. New terminology reflects transition to Incident Command System.
860.10 Traffic Citations and Arrests
This directive has been revised to reflect new language regarding the seizure of ODLs.

940.00 After Action Report
Under the Taser deployment section, minor language changes were made.

1020.00 Firearms
This directive revised to reflect new training requirements.

1051.00 Taser, Less Lethal Weapon System
New language has been added on when to complete an After Action Report.

1110.00 Appearance and Grooming Standards
Change to Body Armor section to include through the rank of Lieutenant.

1245.00 Vehicles, Off-Duty Use by Authorized Members
Change reflects new mileage requirement for members subject to call back.

2008 Revisions and New Directives Published as Executive Orders:

210.22 Executive and Management Leave
New procedures for timekeeping were updated.

210.90 Recognition and Awards
Two new award categories have been added: Mark Zylawy Distinguished Service Medal and the Nathan Thomas Memorial Distinguished Service Medal.

343.00 Criminal Investigations of Police Bureau Employees
This directive was revised to reflect the Detective Division manager’s responsibilities.

412.00 Employee Retraining Program
This is a new directive on retraining of sworn and non-sworn members returning after absences.

605.00 All Terrain Vehicles (ATVs) use
This is a new directive on responsibilities for use of ATVs.

630.23 Reserve Officer Program
This is a new directive on responsibilities for reserve officers.
630.60  Vehicle Disposition
Under the Towing Scene Responsibilities section, language has been added concerning asking occupants to identify small or valuable items for the property receipt. Under the Driving Uninsured Tows section, the amount of the assessment fee has been deleted. The Impound of Vehicles section has been extensively revised.

631.10  Dead Body Procedures
This directive was significantly revised to reflect Medical Examiner responsibilities.

635.10  Crowd Management/Crowd Control
This directive has been significantly revised to reflect new definitions and procedures for these types of events.

640.01  Driver’s License and ID Photographs
This directive has been significantly revised to reflect WebLEDS changes.

640.18  Case Management System
This is a new directive on tracking cases and information, new code definitions and responsibilities.

640.20  Sexual Assault Investigations
New specific definitions were added and new section on Anonymous Sexual Assault report guidelines included. Under the Evidence Disposition section on Property and Evidence Procedures was clarified.

640.30  Child Abuse Investigations
New language on visual recording of sexual conduct of children was added. New information about Karly’s Law was included.

640.31  Custodial Interference
This directive was significantly revised to outline new member responsibilities.

640.40  Investigations on Public School Property
Now all school district properties within Portland are included.

640.50  Traffic Crash Investigations
New definition for Vulnerable Road Users and new requirements regarding these users is included.
640.95 Undercover Safety and Operation Procedures
This directive now reflects additional requirements for members, supervisors, RU managers and new responsibilities for the Drugs and Vice Division.

660.10 Property and Evidence Procedure
New language reflects changes to Processing Controlled Substances, Delivering Property and Evidence, and Processing for IBIS Classification.

660.15 Pawnshop/Secondhand Property Procedures
New SPI procedures were included.

660.32 Agents/Informant Processing
New maintenance requirements are included under Informant File Checklist section. There are new Drugs and Vice Division responsibilities.

825.00 Domestic Violence, Arrests and Restraining Orders
New language reflects changes to the Follow Up Investigation section.

835.20 Illegal Camping
The title of this directive has been changed to Posting/Cleanup of Established Campsites. New definitions are included. New exceptions to the 24 hour posting requirements are included.

850.39 Missing Persons, Adult and Juvenile
This directive has been significantly revised to reflect new requirements for juveniles. Signatures are no longer required for reporting purposes.

860.30 Citations in Lieu of Custody
New arraignment date requirements are included under Multiple Arrest Situations.

870.25 Precinct Holding Rooms
The title of this directive changed to Temporary Holding Rooms. The juvenile requirements were revised.

870.50 Arrest, Felony Processing
New language included regarding Ballot Measure 11 Arrests for Juveniles.

870.80 Prisoners, Line-Up and Show-Up
New policy has been added.
1010.20 Physical Force
This directive has been significantly revised to reflect policy and procedure changes.

2008 Revisions Published in 2009 Manual with Chief’s signature:

210.22 Executive and Management Leave
The title of this directive was changed to Employee Time Tracking.

316.00 Alcohol Use
Revised language now prohibits all alcoholic beverages from police facilities and/or vehicles except those held as evidence.

612.00 Radio Use
Talk groups updated. Under MCD and CAD section, new requirements for personal messages included.

612.10 Death Messages
New policy statement included. Notification responsibilities are outlined.

630.60 Vehicle Disposition
This directive was significantly revised.

630.61 Stolen Vehicles
VIN inspector deleted, detective and/or sergeant added. New section on Reporting added. Language on requirements for signing a report was deleted.

640.02 Photo and Digital Imaging
Minor language changes concerning storage and instant print.

660.33 Informants
New language under Problem Informants section now includes DVD responsibilities.

825.10 Member Involved Domestic Violence
The policy of this directive has been revised to reflect new member reporting requirements, new DVRU and FSD responsibilities.

850.39 Missing, Runaway, Lost or Disoriented Person
This directive has been significantly revised. New sections include Hospital Requests for Fingerprinting, Missing Adults or Juveniles.
860.10  Traffic Citations
Under the Juveniles section, arraignment offenses were clarified.

870.25  Temporary Holding Rooms
New title inserted. Section on Juvenile Requirements added.

870.30  Processing of Persons into MCDC
New language added under Open Booking Criteria, Arrests for Missions, for special booking procedures.

1051.00  Taser, Less Lethal Weapon System
Number of deployments under Supervisor Responsibilities has changed from five cycles to three cycles.

1226.00  Computer Technology
Under PPDS section, there is a new requirement for members for log on procedures.

ROSANNE M. SIZER
Chief of Police

RMS/mp
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PROCEDURE (001.00)

This filing system will apply to all Bureau and RU files. This system will not include crime and information files maintained by specialized units, (i.e., Drugs and Vice, Internal Affairs, etc). In addition, the personal files of managers are not affected.

Bureau and RU files are organized information maintained by each RU containing written material related to policy and procedures in the directives and other information pertinent to the RU’s operation. The material contained within these files may also contain correspondence, research data, brochures, inter-agency information, visual aids, training information, intelligence notes or any information relevant to the operation of the RU. Files will be reviewed and purged each year during the month of January.

Section Numbers (001.00)

The filing system incorporates numbered tabbed file dividers. The following numbered tabs correspond to the directives’ section numbering system:

000  Manual Organization/Filing Manual
100  Bureau Organization
200  Personnel/General Administration
300  Conduct/Discipline/Grievances
400  Disability/Injury/Retirement
500  Contracts/Labor
600  Field Operations
700  Emergencies/Disturbances
800  Arrest/Detention/Courts
900  Report Writing
1000 Weapons/Ammunition/Equipment
1100 Uniforms/Grooming
1200 Maintenance/Vehicles/Property
1300 Special Orders
1400 Executive Orders
1500 Training Education/Bulletins
3000 Division/Precinct Miscellaneous Files

Mandatory Sub-Sections (001.00)

In conjunction with the directives’ section numbers, there are sub-sections relative to most of the RUs. In order to ensure continuity, these sub-sections have been assigned specific numbers and will be used by those involved with the filing
system. Any of the sub-sections may be further sub-divided. Refer to the section on Filing Procedures for an example.

001.00 Filing Manual
200.1 Budget
600.1 Intelligence
600.2 Parks
600.3 Special Events
700.1 Tactical Areas of Responsibility

RU Filing Manual – Section (001.00)

Each RU using this filing system will maintain an alphabetical cross index and section number index. These cross-indexes and a copy of this directive will make up the RU’s Filing Manual Section 001.00.

When assigning file numbers, any material to be filed that directly relates to a policy or procedure in the directives will be assigned the same directive section number. For example, the Section 630.30 of the directives that deals with ride-alongs under the Bureau filing system could be further broken down by the RU’s by adding 630.30.1 Ride-Alongs – Accepted and 630.31.02 Ride-Alongs – Refused.

Material relating to a section number, but not corresponding to a specific directive, will be numbered with a section number and a decimal designation. For example, RUs wishing to file information on the armory will find there is no specific decimal breakdown for Armories. However, the subject matter relates to Section 1000 Weapons/Ammunition/Personal Equipment and armory information could be filed immediately behind the 1000 divider and would be assigned number, 1000.0 Armory. For another example, Central Precinct could assign numbers to specific parks under the 600.0 Parks subsection by giving them number 600.2.1 for Washington Park and 600.2.2 for Council Crest Park.

Section 3000 is designated for each RU use to file material not logically related to Bureau section numbers. The decimal numbering system should be used within the 3000 series when organizing the file. For example, 3000.1 Annexations, 3000.1.1 Johns Subdivision and 3000.1.2 Smith Subdivision.

Incorrect Numbering (001.00)

Except when numbering files in conjunction with a directive section number, RUs will assign numbers only as described above. For example, 630.30 Community Policing Citizen Ride-Along Program. Assigning the number 630.31 to a file relating to Ride-alongs would be incorrect. 630.30.1 Ride-alongs accepted would be the correct file number assignment.
POLICY AND PROCEDURE

010.00  DIRECTIVES MANUAL

Index:  Title; Directives; Policies; Procedures; Manual of Policy and Procedure; Standard Operating Procedures; Operations Orders; Orders; Special Orders

Refer: City Code 1.07 Documentation of Rules and Policies
Current Community Policing Strategic Plan

POLICY (010.00)

Directives encompass all written policy and procedures members follow to perform their jobs appropriately and consistently. Additionally, directives form the basis for discipline if members act outside those policies and procedures. All directives will be readable, accessible, succinct and up-to-date. Because directives provide the policies of the Bureau, all must reflect the Bureau Mission, Values, and Goals outlined in the current Community Policing Strategic Plan.

Since it is not possible to anticipate every situation that may arise or to prescribe a specific course of action in each scenario, all members are expected to exercise common sense and good judgment in the delivery of Bureau services.

PROCEDURE (010.00)

Directive Specific Definitions

Executive Order: A memorandum signed by the Chief of Police (or designee) that dictates compliance and/or amends a specific directive.

Operation Order: A branch or unit wide order issued by a Branch chief or RU manager, which specifies policy and procedure governing a particular situation or mission.

Special Order: A Bureau-wide written order issued by the Chief of Police or designee, which specifies policy and procedure governing a particular situation. These orders may include an expiration date.

Manual of Policy and Procedure (010.00)

The following sections outline procedures for directives found only in the Manual of Policy and Procedure. Details of the staffing, publication, and distribution procedures are found in the Strategic Services Division (SSD) SOP.

Creating New Directives (010.00)

a. Request for a new directive:

   1. All requests for new directives will be submitted, through channels, and in writing, to the appropriate Branch chief. The originator is responsible to provide all appropriate information to the Branch chief enabling him/her to make an informed decision as to the feasibility of the new directive. It is also the responsibility of the originator to orient all Branch chiefs of any new programs or major changes to
programs included in a proposed new directive.
2. Upon approval by the Branch chief, the request and information will be forwarded to SSD.
3. SSD will contact the originating division/unit to start the draft phase of the process.
b. Research and First Drafting
1. Since the originating division/unit is most likely familiar with the involved subject matter, those members will write the first draft of the directive. SSD will act as the project liaison.
2. Upon completion of the first draft, it will be forwarded to SSD, both in hard copy and on electronic file. SSD will be responsible for formatting, additional research, if needed, and preparation for first draft staffing.
c. Staffing
1. First Draft Staffing:
   a) The completed first draft will be distributed by SSD, for review and comments, to the following:
      1) All Branch chiefs.
      2) All RU managers.
      3) City Attorney’s Office.
      4) Appropriate bargaining units (i.e., PPA, PPCOA, DCTU).
      5) Other appropriate organizations or agencies, including, but not limited to Mayor’s Office, U.S. Attorney’s Office and/or District Attorney’s Office.
   b) After the due date for return, the staffing comments will be compiled by SSD.
2. Final Draft Staffing:
   a) The final draft of the directive will be developed by SSD using the returned comments from the first draft. All pertinent issues brought up in the review comments will be addressed through appropriate channels.
   b) The final draft will then be distributed for staffing to the following:
      1) All Branch chiefs.
      2) City Attorney’s Office.
      3) Appropriate bargaining units (i.e., PPA, PPCOA, DCTU).
      4) Other appropriate individual(s).
   c) SSD must receive returned final draft face sheets from all Branch chiefs, and other applicable individuals/units, with their signature prior to presentation to the Chief of Police for signature.
d. Publication:
1. Upon completion of the final draft process the document will be pre-
pared in the publication format.
2. The directive will then be forwarded to the Chief of Police for signature.
3. The directive will be returned to SSD for distribution and archiving.
   a) Most new directives will be published at times other than the biennial Manual of Policy and Procedure publication date. These directives will be published as Executive Orders and will include general directions for implementation.
   b) New directives that have a publish date coinciding with the biennial Manual of Policy and Procedure publication date will be included in the newly published manual.

e. Distribution will be done by SSD. Applicable directives will be recorded with the City Auditor’s Office according to City Code 1.07.

Reviewing Directives (010.00)
All directives will be reviewed biennially by the unit or division most appropriate for the subject matter. It will not preclude review of directives as needed throughout the rest of the year. With the results of the biennial review, SSD will establish a priority list of directives in need of revision. This list will be based on member safety, community safety and liability, and will form the basis for assignments for work on directive revisions. Every effort will be made to include all revised directives as a result of this biennial review in the publication of the Manual of Policy and Procedure.

Revising Directives (010.00)
a. Line change: A text change or deletion, involving the striking out of one to several words, or a short passage. Additions to the existing text will be limited, such as changing a monetary amount or the addition of a single word.
   1. No formal staffing is required for a line change.
   2. An Executive Order directing and demonstrating the needed changes, will be prepared by SSD and forwarded to the Chief of Police for his/her signature.
   3. Distribution will be done by SSD.
b. Extended line change(s): More extensive changes to the text that do not constitute a complete review and re-write.
   1. SSD will forward the request to the Chief of Police if he/she feels the requested changes require his/her approval.
   2. A single, modified staffing is required that includes, but is not limited to, all Branch chiefs, all appropriate bargaining units (PPA, PPCOA, DCTU), and City Attorney’s Office, and any other division/unit/RU manager that is appropriate for the issues involved in the change.
SSD must receive returned final draft face sheets from all Branch chiefs and Deputy City Attorney with their signature, and the “approval as written” space checked, prior to presentation to the Chief of Police for signature.

3. The revised directive will be forwarded by SSD to the Chief of Police for signature. The revised directive will be published as an Executive Order if the publish date does not allow for inclusion in the biennial publication of the Manual of Policy and Procedure.

4. Distribution will be done by SSD.

c. Full review change: This includes a full review and re-write of a directive due to outdated and/or currently inaccurate policy/procedure.
   1. Preliminary research and drafting will be done by the most appropriate unit/division. This will be the originating unit.
      a) Individuals or units/divisions requesting a full review and re-write will follow the procedures outlined for requests for a new directive.
      b) After the Branch chief’s approval of a revision request, SSD will act as liaison to the originating unit and will do any required follow-up research and formatting in preparation for the first draft staffing.
   2. Both first draft and final draft staffing will be done. These will follow the procedures outlined for a new directive.
   3. Publication of fully reviewed revisions will follow the procedures outlined for a new directive.
   4. Distribution will be done by SSD.

Rescinding Directives (010.00)

a. RU managers are encouraged to identify directives that are no longer applicable, outdated or don’t reflect the policy outlined in this directive. Requests to rescind directives will be sent through channels, and in writing, to the appropriate Branch chief.

b. Approved requests and appropriate information will be forwarded to SSD.

c. SSD will do follow-up research and preparation for staffing the request.

d. A single staffing will be distributed to the following:
   1. All Branch chiefs.
   2. All RU managers.
   3. City Attorney’s Office.
   4. Appropriate bargaining units (i.e., PPA, PPCOA, DCTU).
   5. Other appropriate organizations or agencies, including, but not limited to Mayor’s Office, U.S. Attorney’s Office and/or District Attorney’s Office.

e. Executive Orders will be staffed and distributed by SSD.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (010.00)

RU managers will outline unit specific directives in a Standard Operating Procedure, and ensure all members, through supervision, know and conform to all directives. It is the responsibility of each member to know and follow those policies and procedures applicable to his/her assignment.

020.00 MISSION, VALUES AND GOALS
Index: Title
Refer: DIR 021.00 Human Goals
       DIR 024.00 Community Policing Purpose

POLICY (020.00)
The mission of the Portland Police Bureau is to reduce crime and the fear of crime by working with all citizens to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

The organizational values are:
   a. Integrity.
   b. Compassion.
   c. Accountability.
   d. Respect
   e. Excellence.
   f. Service

The goals are:
   a. Focus efforts on repeat calls for service and chronic offenders.
   b. Enhance the community and police relationship.
   c. Develop and encourage personnel.
   d. Continuously improve work processes.

021.00 HUMAN GOALS
Index: Title
Refer: DIR 020.00 Mission, Values and Goals
       DIR 024.00 Community Policing Purpose

POLICY (021.00)
The following states the Bureau’s adopted Human Goals:

The Portland Police Bureau, which exists to protect and serve the community, must always be guided by the principle that the individual has infinite dignity and worth. In all that we do, we must show respect for the citizens we serve, and for the men and women of the Portland Police Bureau, recognizing and encouraging their individual needs, aspirations and capabilities.
The attainment of these goals requires that we strive to:

a. Attract to the Police Bureau a diverse group of individuals with ability, dedication, and capacity for growth.

b. Provide the opportunity for everyone to rise to as high a level of responsibility and interest as desired, dependent only on that individual’s talent, diligence and commitment.

c. Train and support Bureau members to be the best they can be.

d. Make the Portland Police Bureau a model of equal opportunity for all regardless of race, color, sex, religion, age, national origin, marital status, sexual orientation or physical challenge.

e. Contribute to the improvement of our community, especially to those citizens in need, by maximizing our human resources while maintaining full effectiveness in the performance of our primary mission: service to the community.

024.00 COMMUNITY POLICING PURPOSE

The Portland Police Bureau employs a community-based style of policing that encourages citizen participation in crime reduction and greater coordination with other service providers to address crime-related problems. Bureau members are one of the catalysts who bring the necessary resources to bear on community safety needs throughout Portland.

By strengthening the partnership among citizens, police, neighborhood and business communities, and public and private agencies, the Portland Police Bureau expects a reduction in the fear of and occurrence of crime through a resolution of immediate community safety problems and identification of root causes of crime and disorder. Citizens and Bureau members mutually participate in, and are responsible for, strategy design and problem solving that emphasizes comprehensive responses to criminal incidents. Problem solving is joint empowerment of police and citizens to coordinate public and private resources to resolve community problems. Police members take a vested interest in, and are sensitive to, the cultural and ethnic diversity of the areas they serve.

The Bureau is committed to fostering an organizational climate that rewards its employees for initiative, innovation, citizen involvement and consensus building in problem resolution. The Bureau encourages decentralization of resources to the most appropriate level in the organization and community.

All Bureau members are expected to maintain a sustained and dedicated service
orientation with all citizens to assure the peace and safety of our community. The organizational values (integrity, compassion, accountability, respect, excellence, service) must be the driving force in all of our decisions.

060.40 PERSONNEL ORDERS

Index: Title
Refer: DIR 210.21 Leaves Of Service
Transfer Request (Personnel)
Personnel Action Form (Personnel)
Separation Form (Personnel)
Applicable Collective Bargaining Units
Applicable City of Portland Human Resources Administration Rule

PROCEDURE (060.40)
All members requesting an assignment transfer must submit a Transfer Request through channels to the Personnel Division (Personnel).
Those members resigning or retiring must submit a completed Separation Form through channels to Personnel.
All other movements must be submitted on a completed Personnel Action Form and/or related forms through channels to Personnel. All member movements must be authorized by Personnel and Fiscal Services (Fiscal) in coordination with the Bureau of Human Resources (BHR) and approval of the Branch chief(s).

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (060.40)
Personnel will process and archive all Personnel Orders and distribute copies to all RUs and the applicable bargaining units. RU managers will post all distributed Personnel Orders on their Directive Display Board for at least one month after which the orders may be destroyed.

060.45 PERSONNEL TRAINING ORDERS

Index: Title; Training Orders
Refer: Training Application Form (Training)

PROCEDURE (060.45)
Directive Specific Definitions
Personnel Training Order (PTO): A written directive relating to training assignments, issued at the Bureau level, and authorized by the RU manager.
The person requesting a PTO will submit the request on a Training Application. As the authority to publish a PTO comes from the RU manager, once it is signed by the manager, it serves as the PTO authorizing the applicant’s request.
POLICY AND PROCEDURE

Any training offered outside the Bureau, that would normally be paid for through the use of discretionary training and education funds and that is not a conference, command or supervisory development seminar directed by the Chief of Police’s office, must have the following information included with the application:

a. A clear endorsement by each level of the requesting member’s chain of command.

b. A paragraph indicating the justification for the member’s training endorsed by the RU manager.

c. If appropriate, a paragraph indicating how the information gleaned will be shared in the organization.

The RU manager will sign the PTO. The affected RU will be responsible for issuing and distributing the PTO to the applicant, Training Division, Fiscal Services, and the Court Coordinator, if applicable.

060.50 TIPS AND TECHNIQUES AND SAFETY BULLETINS

Index: Title; Safety Bulletins
Refer: DIR 090.00 Directive Display Procedures

PROCEDURE (060.50)

Directive Specific Definitions

Tips and Techniques: Information, distributed on blue paper, providing helpful tips to members.

Safety Bulletins: Safety information distributed on green paper, distributed to members.

RU Manager Responsibilities (060.50)

a. RUs wishing to produce a Tips and Techniques or a Safety Bulletin will submit a draft through channels to Training.

b. Post published Tips and Techniques and Safety Bulletins on the appropriate clip on the Directive Display Board as outlined in DIR 090.00.

Training Division Responsibilities (060.50)

a. Edit submitted drafts and prepare the final copy for the Chief of Police’s approval.

b. Publish and distribute to appropriate members.

c. Maintain and store current and past Tips and Techniques and Safety Bulletins.
PROCEDURE (060.60)

Directive Specific Definitions

Division/Precinct Order: A directive, from an RU manager, which is only effective within the division where issued.

Division Standing Operating Procedure (SOP): A unit or precinct order, which give explicit directions or guidance in handling routine and emergency occurrences.

RU responsibilities (060.60)

RU managers may draft orders, which affect their area of command responsibility.

a. These orders may be for information purposes or may be SOPs, which spell out procedures to be followed in handling specific problems or functions of a recurring nature and which are not covered by directives or Special Orders. They are derived from Bureau policies, procedures and command guidance, but are more detailed in content and application. SOPs may be used as a vehicle for contingency planning.

b. RU managers will be responsible for seeing that the Division Orders are reviewed annually and purged if no longer appropriate.

c. Units maintaining an SOP manual will keep a current copy on the shelf of the display board (refer DIR 090.00).

Standing Operating Procedures Format (060.60)

SOPs are best maintained in hard cover, loose-leaf binders. Each SOP should be confined to one subject area. The following standard format is recommended:

a. Subject or Title: A short descriptive phrase concerning the subject content of the SOP.

b. Purpose or Objective: Why the order is established and what it is intended to accomplish.

c. Procedures and Responsibilities: Statements concerning who, when, where and how – clarity is of primary importance.

d. References: A list of documents such as the Manual, laws, directives, Tips and Techniques, Safety Bulletins and other SOP that expand on, are related to or give authority to the material in the SOP.
090.00 DIRECTIVE DISPLAY PROCEDURES

POLICY (090.00)
All precincts, divisions and units will install and properly maintain a DDB.

PROCEDURE (090.00)

a. Precinct/Division Order.
   1. Clip 1 is to be used at the discretion of the RU manager.

b. Special Orders.
   1. A copy will be posted on clip 2 on the DDB (see DDB Diagram).
   2. The order will be purged from clip 2 at the end of six months or on the expiration date, whichever comes first.

c. Executive Orders.
   1. A copy will be posted on clip 3 on the DDB (see DDB Diagram).
   2. The order will be purged from clip 3 after 12 months.
   3. Upon purging, the order may be discarded or filed in section 1400 of the RU files.

d. Personnel Orders and Personnel Training Orders.
   1. A copy will be posted on clip 4 on the DDB.
   2. The order will be purged from clip 4 anytime between one month and six months.

e. Tips and Techniques.
   1. A copy will be posted on clip 5 on the DDB (see DDB Diagram).
   2. The distribution will be purged from clip 5 at the end of six months.
   3. The bulletin will be filed in a RU file (Section 1500) for a minimum of 18 months.

f. Safety Bulletins.
   1. A copy will be posted on clip 6 on the DDB (see DDB Diagram).
   2. The distribution will be purged from clip 6 at the end of six months.
   3. The bulletin will be filed in a RU file (Section 1500) for a minimum of 18 months.

   1. A minimum of one copy of the current manual will be placed on the shelf of the DDB.

h. SOP Manual.
   1. RUs maintaining an SOP Manual will keep a current copy on the shelf of the DDB.
POLICY AND PROCEDURE

120.00 INSPECTIONS, RESPONSIBILITY AND AUTHORITY

Index: Title
Refer: DIR 330.00 Internal Affairs, Complaint and Investigation Process

POLICY (120.00)

Inspection and control is necessary to evaluate the adequacy, use and performance of command policies and procedures, and Bureau resources and personnel.

PROCEDURE (120.00)

a. Branch chief or designee responsibilities:
   1. Within his/her branch, conduct semi-annual inspections of:
      a) Personnel.
      b) Facilities.
      c) Fleet.
      d) Equipment.
         (1) To include Personal protective equipment (PPE).
      e) Files.
      f) Other areas as identified by Chief of Police or Branch chief, command changes, special audit, etc.
   2. The dates of the semi-annual inspections will be:
      a) January 1-15.
      b) July 1-15.
   3. Write a memo to the Chief of Police after each inspection that will document the following:
      a) The results of each inspection.
      b) Plans and/or recommendations for correcting any deficiencies.
   4. The memo for each inspection will be forwarded to the Chief of Police by the following dates:
      a) February 5.
      b) August 5.

b. RU manager or designee responsibilities.
   1. Continuously inspect their personnel, equipment and facilities.
   2. Review procedures and practices within their assigned units to ensure compliance with Bureau standards and state statutes.
   3. Take appropriate action to correct any defect or deficiency identified.

c. Supervisor or designee responsibilities.
   1. Conduct semi-annual inspections of all personnel within unit.
      a) The dates of the semi-annual inspection will be:
         1) January 1-15.
         2) July 1-15.
      b) Review each member’s time sheet and work history for:
1) Evidence of sick time abuse.
2) Tardiness.

d. Member responsibilities.
   1. Present items for inspection and correct deficiencies.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (120.00)

All Branch chiefs, RU managers, and supervisors have responsibility and accountability for every aspect of their commands. They have the authority to coordinate personnel and resources to achieve organizational objectives. They must perform the full range of administrative functions, relying on policy, direction, training, and personal initiative to achieve the highest level of performance possible. This includes conducting ongoing inspections to ensure proper performance and the most efficient use of budget, equipment, material, facilities, and other resources.

The Chain of Command is the established order of authority for members of the Bureau. The Chain of Command for sworn members, in descending order, is:

a. The Chief of Police.
b. Assistant Chief.
c. RU manager/Captain/Commanders.
d. Lieutenant.
e. Sergeant.
f. Detective/Criminalists.
g. Police Officer.

The placing of non-sworn members in the chain of command is dependent on their classification and assignment.

205.00 CORRESPONDENCE FORMAT

Index:  Title; Executive Orders; Letters; Memoranda; Envelopes
Refer:  City Administrative Policies and Rules 1.10
       Letter Sample (CHO/Intranet)
       Memorandum Sample (CHO/Intranet)

POLICY (205.00)

All correspondence emanating from the Bureau in answer to letters directed to the Bureau or originated by the Bureau for mailing to outside agencies or persons will be subject to the following procedures.

Reducing paper use supports goals included in the City’s adopted Local Action Plan on Global Warming and conforms to City Administrative Policies and Rules 1.10.
POLICY AND PROCEDURE

PROCEDURES (205.00)
Directive Specific Definitions

Chain of Command: The established order of authority for members of the Bureau.

Executive order: Outlines new directives or procedural or policy changes to the Manual of Policy and Procedure. Executive orders can be signed only by the Chief of Police, or designee, and are created by the Strategic Services Division. It will be on city letterhead.

Inter-office memorandum: A standardized form which is used exclusively within the Bureau for informal correspondence. Memos can be typed or handwritten.

Letter: A formal external correspondence on city letterhead addressed to a person, agency or business and delivered by the U.S. Postal Service.

Memorandum (memo): A formal correspondence on city letterhead, containing directive, advisory or informative matter. It has limited internal use and is used for correspondence with other city bureaus or outside agencies. It is normally delivered by the city or county mail system. Memoranda are signed by the Chief of Police, Branch chief, RU manager or their designees.

Originator: The subject who wrote the memorandum or letter.

Through channels: A term used to designate memos and letters that are addressed up, down or laterally through the chain of command.

Correspondence (205.00)

All correspondence must be authorized and signed by the Chief of Police, Branch chief, RU manager or designee. RU managers will answer directly under his/her signature, if the verbal or written communication was directed to him/her or his/her unit and the subject matter is:

a. Related to his/her area of responsibility and knowledge.

b. Not controversial or sensitive in nature.

1. Examples of controversial subjects include:
   a) Subject matter that is of extreme public interest.
   b) Correspondence to political organizations and public officials.

Correspondence submitted to the Chief of Police in final form for signature will be on letterhead and include a completed envelope.

Member Responsibilities (205.00)

a. All correspondence sent to the Chief of Police for signature must go through channels.

b. All memos and letters sent to the Chief of Police for signature will adhere to the memo and letter format examples on the Intranet.

1. Inappropriately formatted correspondence will be returned to the originator unsigned.
POLICY AND PROCEDURE

2. The originator will advise the Chief of Police, via a cover letter or e-mail, on the distribution of signed correspondence.

210.00 TRAINING ANNOUNCEMENT DATABASE
Index: Title
Refer: DIR 060.45 Personnel Training Orders

PROCEDURE (210.00)
The Training Division (Training) manager or designee will authorize material for inclusion in the PPDS Training Announcement Program database. Material on the database will include upcoming training sponsored by Training, DPSST, the City of Portland and other appropriate training opportunities.

The Training manager or designee will update the database as needed to provide maximum opportunity for application. Training opportunities are available for viewing at any time through PPDS.

Interested members have the option of applying for any training class as long as they meet the requisites and receive approval from their RU manager.

It is the RU’s responsibility to decide among potential attendees (the Training manager assists in selecting attendees only when sponsoring or hosting the training class), make application to the sponsor, arrange for payment of fees and send verified completion of training forms to Training.

210.05 FIELD TRAINING PROGRAM
Index: Title; Field Training Officers; Training and Evaluation
Refer: Bi-Weekly Phase V Evaluation Form (Training)
Daily Observation Report (DOR) (Training)
End of Phase Evaluation Form (Training)
FTO Evaluation Form (Training)
Standardized Evaluation Guidelines (Training)

POLICY (210.05)
Newly appointed sworn members will normally be appointed in conjunction with the beginning of a DPSST certified basic police academy, and must successfully complete the course of study prior to their initial field training assignment. Lateral recruit officers, either from police agencies outside Oregon or currently certified in Oregon by DPSST, will be given an orientation to Bureau procedures as determined by the Training Division (Training), and may then be assigned to field training.

Field training assignments of recruits will be rotated between at least two precincts.

Recruits will not be used for plainclothes, undercover assignments. Recruits
may work with their FTO, in uniform capacity, as arrest or cover units for special missions.

Training will maintain a Standard Operating Procedure outlining procedures to be followed in a Probationary Performance Review. The Training manager will chair all Probationary Performance Reviews. A Probationary Performance Review will be a non-adversarial process to discuss the facts of the recruit’s performance.

Training will maintain an SOP outlining the standards and criteria for FTO selection, training, certification, and de-certification. Training will be responsible for notifying RU managers of pending FTO schools and the selection criteria. Upon successful completion of FTO school, the Training manager is responsible for re-certification of FTOs. The Training manager or RU manager may de-certify an FTO. Specific procedures will be included in the Training SOP.

PROCEDURE (210.05)

Directive Specific Definitions

Daily Observation Report (DOR): The evaluation, based upon the Standardized Evaluation Guidelines, that is completed daily by the FTO within the ADORE computer program, or on the approved printed form, should the Bureau’s computer network be down.

Director of FTEP: The lieutenant, or designee, assigned to Training, responsible for the overall FTEP program.

Field Training Coordinator: An officer, assigned to Training, designated as the Operations Coordinator of the FTEP.

Field Training and Evaluation Program (FTEP): A comprehensive process designed to train police recruits in the most effective manner to become police professionals.

Field Training Officer (FTO): A member who has successfully completed the Bureau’s FTO school and has maintained certification, including re-certification classes as scheduled by Training.

Field Training Supervisor: The sergeant, assigned to Training, responsible for recruit training.

Recruit Officer (recruit): A sworn member of the Bureau who has not completed the probationary period.

Recruit Training Sergeant: A sergeant from each relief at each precinct designated as the coordinator of the FTEP for that relief.

Recruit Training Sergeant Responsibilities (210.05)

a. Maintain a thorough understanding of the policies and procedures contained in this directive.

b. Facilitate the assignment of recruit officers to FTOs. Phase V recruit officers shall be assigned the same days off as the mentor FTOs. Any exceptions shall be approved by the Director of FTEP.
c. Ensure that recruit officer DORs are completed and submitted to Training. Ensure that bi-weekly evaluations for Phase V recruit officers are completed and submitted to Training on the 1st and 15th of each month. Training will continually monitor the submission rate of DORs and bi-weekly evaluations for all FTOs and will generate a deficiency report as needed.
d. Provide the Field Training Coordinator with a list of FTO/Recruit Officer assignments, to include current days off, prior to the beginning of each pay period.
e. Notify and work with Training to identify and address performance deficiencies with recruit officers and FTOs.
f. Report recruit officer absences of three or more weeks to the Field Training Coordinator, in accordance with Directive 210.21 Leaves of Service, Probationary Member Absences.

Training Phases (210.05)
a. Phase Timelines
   1. Entry Phase: The projected goal for completion is four (4) weeks.
   2. Phase I: The projected goal for completion is five (5) weeks.
   3. Phase II: The projected goal for completion is five (5) weeks.
   4. Phase III: The projected goal for completion is five (5) weeks.
   5. Phase IV: This phase will be at least five (5) weeks in length, without exception. The first three (3) weeks will focus on a review of previous training and any additional knowledge and skills that have been identified. During the last two (2) weeks, the FTO will not be in uniform and is not allowed to help the recruit officer except in situations where the recruit has lost control of a serious nature.
   6. Phase V: The recruit officer remains in phase V until the end of probation.
b. Entry Phase through Phase IV
   1. Recruits will normally begin the Entry Phase upon completion of the Basic Police Academy. Recruits will then incrementally advance to Phase V (solo) through a comprehensive, progressive process involving field training, observation, critique, evaluation, and review. In all training phases (except Phase V) the recruit shall be assigned to work with a certified FTO. FTOs shall not be assigned the same recruit for more than two consecutive training phases.
   2. Each day’s activities will be critiqued with the recruit. The recruit’s regularly assigned FTO will use the Standardized Evaluation Guidelines to complete a Daily Observation Report (DOR) prior to the shift’s end, to reflect performance for that day. The evaluation will be discussed with the recruit and will be signed by both members.
3. If, because of technical reasons, a DOR cannot be completed within the ADORE program, the original, handwritten DOR will be sent directly to Training. A copy of all DORs will be forwarded through the precinct chain of command for the benefit of all appropriate supervisors.

4. In the unusual circumstance where a recruit is assigned to work with a member who is not a certified FTO, that member will not complete a DOR. That member will write an inter-office memo to the Field Training Coordinator outlining the day’s activities and the recruit’s performance. The content will be reviewed with the recruit who will acknowledge the review with his/her signature. The original memo will be sent directly to Training, and a copy forwarded, through the precinct chain of command for the benefit of all appropriate supervisors.

c. Phase V

1. Recruits who have successfully completed all previous training phases, and have consistently met the acceptable performance standards as defined in the Standardized Evaluation Guidelines, will be advanced to Phase V training status. Phase V training is independent of direct FTO supervision, and the recruit will be authorized to work solo. Phase V continues until completion of the probationary period unless the recruit’s performance reflects serious deficiencies, in which case the recruit’s performance will be reviewed by Training to determine an appropriate course of action.

2. During this final phase of field training, an FTO will be assigned to closely monitor the recruit’s performance. Using the Standardized Evaluation Guidelines, the FTO shall complete a bi-weekly Phase V Evaluation Form, within the ADORE program, to document the recruit’s performance. The FTO will discuss the evaluation with the recruit and the FTO and recruit sign the evaluation. A copy will be forwarded through the precinct chain of command for the benefit of all appropriate supervisors.

3. An FTO may be assigned a maximum of two Phase V recruits at any given time whose performance is his/her responsibility to monitor. The FTO should be assigned a district adjacent to the recruit(s) to allow mentoring and monitoring of that recruit. An FTO assigned to mentor a Phase V recruit will not be assigned an Entry through Phase IV recruit as well. The FTO will not be given supervisory responsibilities for the recruit, since that is the role of the recruit’s detail sergeant. Rather, the FTO will be in a continuing role to monitor the recruit’s progress and to aid with the transition to independent patrol work.
POLICY AND PROCEDURE

Advancement (210.05)

a. At the beginning of the last scheduled week of all training phases, the recruit’s assigned FTO shall complete an End of Phase Evaluation Form within the ADORE program. This will include the FTO’s recommendation for advancement to the next training phase, retention in the current training phase, or recommendation by Training that a Probationary Performance Review of the recruit be conducted. After the FTO discusses the evaluation with the recruit, both members will sign the form. A copy will be forwarded, through the precinct chain of command for the benefit of all appropriate supervisors.

b. For advancement to Training Phases I, II, III and IV, the End of Phase Evaluation will be approved by the Field Training Supervisor and the Field Training Coordinator. For advancement to Phase V, the Director of FTEP, the Field Training Supervisor, and the Field Training Coordinator will review the End of Phase Evaluation for approval. Written notification of the recruit’s advancement will be sent to the recruit’s RU manager, with a copy sent to the recruit. No recruit will be allowed to work solo before this notification.

c. The timelines listed for each phase, with the exception of Phase IV, are guidelines only. The Bureau retains the right to extend those timelines and to terminate a recruit at any phase of the training process. Advancement from one phase to another is not a guarantee of advancement to a permanent position until the recruit has successfully completed the probationary period.

d. No recruit shall be considered for advancement to Phase V until the recruit has completed the DPSST Field Training Manual (when appropriate), the Bureau FTEP Manual, and successfully completed the Bureau’s Advanced Academy.

Field Training Conferences (210.05)

Field Training Conferences, designed to discuss a recruit’s progress and to develop plans for correcting deficiencies, will be scheduled by the Field Training Coordinator upon receipt of each End of Phase Evaluation. Additional Field Training Conferences will be scheduled as needed to evaluate and discuss the recruit’s performance. The regularly assigned FTO will also attend these conferences. The FTO will be prepared to discuss their recruit’s strengths, weaknesses, remedial training efforts, and suggestions for the future training of the recruit.

Probationary Performance Review (210.05)

The Training manager may convene a Probationary Performance Review of a recruit at any time during the probationary period. Upon completion of the review,
a written recommendation will be forwarded to the Chief of Police regarding the recruit’s continued employment.

FTO Evaluation Forms (210.05)
Recruits shall complete an FTO Evaluation Form for each FTO to whom they are permanently assigned. This form will be completed and forwarded directly to the Field Training Coordinator within two (2) weeks after completing their assignment with an FTO. These evaluations will be maintained in Training and will be reviewed with FTOs to give training feedback, as well as to maintain and enhance the quality of the FTO program. Their intended use is not disciplinary in nature. A recruit will not be advanced to Phase V until all FTO evaluation forms are completed and turned in. Training will maintain an SOP describing FTO evaluation procedures to be followed.

210.15 SITE VISITS

Index: Title

POLICY (210.15)
Many national and international law enforcement and government organizations choose to visit the Portland Police Bureau. Our community policing initiatives and innovative programs are reasons Portland is well known and respected worldwide.

Site visits can be resource intensive. Each site visit requires a cost/benefit analysis. In addition, the decision to host a site visit will be based on the availability of Bureau subject matter experts.

PROCEDURE (210.15)
Directive Specific Definition
Site visits: Ranking government officials, support personnel, and foreign students enrolled in police management programs who request to visit and meet with our personnel to learn about the organization, philosophies, and procedures of the Portland Police Bureau.

RU Responsibilities (210.15)
All requests for site visits will be referred, through channels, to the Strategic Services Division (SSD). SSD will:
  a. Determine the scope of the visit.
  b. If a site visit involves more than one division and multiple resources, make a recommendation to the Chief of Police based on a cost/benefit analysis.
  c. Assign appropriate SSD resources on approved visits.
POLICY AND PROCEDURE

d. If the visit is specific to one division or precinct, coordinate the visit with the appropriate RU manager.

210.21 LEAVES OF SERVICE

Index: Title; Absence Without Pay; Disability Leave; Military Leave; Probationary Absence; Sick Leave
Refer: City of Portland Human Resources Administrative Rule 6.05 Family Medical Leave
ORS 408 Miscellaneous Benefits for Veterans and Service Personnel
ORS 659 Civil Rights: Unlawful Employment Practices
DIR 210.30 Timekeeping and Overtime
DIR 311.00 Duty Required
DIR 410.00 Injuries/Occupational Illness/Disability/LOS
DIR 880.20 Court Coordination
Applicable Bargaining Agreements
Attending Physician’s Report Form (Fund)
Certification of Health Care Provider (Personnel)
Explanation of Disability Benefits (Fire and Police Disability and Retirement Fund) Fund
Leave of Absence Application (Personnel)
Public Employees Retirement System (PERS) Explanation of Disability Benefits (Bureau of Human Resources)
City of Portland Human Resources Administration Rule 6.05 (Bureau of Human Resources)
Sick Leave Report Form (Personnel)

POLICY (210.21)

Members will be provided leave as required by law, negotiated bargaining agreements and in response to members suffering from a traumatic incident. Bureau of Human Resources (BHR) and the Police Bureau’s Personnel Division (Personnel) are responsible for interpreting bargaining agreements, city code, federal law and discrepancies that may arise in this directive.

Leaves of Absences (LOA) will be coordinated through Personnel. BHR is responsible for interpreting bargaining agreements and the city code to resolve issues regarding wages and/or hours. Sworn members taking LOA will comply with DIR 880.20.

PROCEDURE (210.21)

Recognized member groups consist of: Non-sworn represented members – District Council of Local Trade Unions (DCTU) and City of Portland Professional Employee’s Association (COPPEA); non-sworn, non-represented, non-exempt
Fair Labor Standards Act (FLSA) members; non-sworn, non-represented, FLSA exempt members; sworn represented members – Portland Police Association (PPA) and Portland Police Commanding Officers Association (PPCOA); and sworn, non-represented members – Chief of Police, assistant chiefs and the RU managers of Personnel and IAD.

Management Leave (210.21)

a. Eligible members: Non-represented members who are exempt from overtime compensation.
b. Basis for leave: To reward members for extraordinary efforts, performance or achievements. It is not intended to be an extra week of vacation, nor is it intended to be direct compensation for time worked.
c. Length of leave: Up to 80 hours of paid leave per calendar year. Time shall not accrue.
d. Benefits: Continued coverage and accruals.
e. Member responsibilities: Write a memo through channels to the member’s RU manager with details for the leave.
f. RU manager responsibilities: To recommend leave for a non-represented member and to prepare a memorandum, directed to Branch chief.

Disability Leave (210.21) Refer to DIR 410.00.

Educational Leave (210.21)

a. Eligible members: All members.
b. Basis for leave: Educational purposes at an accredited institution when related to the member’s Leave of Absence (LOA) without pay for up to one year, renewable.
c. Benefits: Refer to Leave of Absence.
d. Member responsibilities: Submit documentation and a request to the Chief of Police, through channels, for approval.

Executive Leave (210.21)

a. Eligible members: PPCOA members.
b. Basis for and length of leave: Refer to PPCOA contract.
c. Benefits: Continued coverage and accruals.
d. Member responsibilities: Apply for leave with their Branch chief.

Family and Medical Leave (210.21)

Leave taken under the federal Family Medical Leave Act (FMLA) or Oregon Family Medical Leave (OFLA) is counted toward a member’s yearly entitlement. All family medical leave entitlements are based on a calendar year. When paid leave (i.e., sick, vacation or compensatory) is used for purposes of family medical
leave (including parental leave), family medical leave time will run concurrently (i.e., a member cannot use 12 weeks of sick leave and then use 12 weeks of Family Medical Leave). All procedures are outlined in the City of Portland Human Resources Administrative Rule 6.05.

a. Member Responsibilities.
   1. All procedures are identified in HR Administrative Rule 6.05 available on their Internet and Intranet websites, and from Personnel Division.

b. Supervisor Responsibilities.
   1. Upon receiving an LOA Application, forward a copy to Personnel.
   2. If an employee is absent for more than three (3) consecutive days, question them to determine if the absence qualifies for family medical leave. See HRAR 6.05, Attachment D, for appropriate questions.

c. RU Manager Responsibilities.
   1. Provide employees with appropriate forms (available from BHR).
   2. Forward all leave forms to the BHR FMLA Coordinator.
   3. Display family leave posters as required by law. Posters can be ordered through BOLI (Bureau of Labor and Industry) Technical Assistance for Employers.
   4. Determine if the member should be transferred to Leave of Service (LOS) while on leave and if so, coordinate with Personnel.

Funeral Leave (210.21)

a. Eligible members: DCTU temporary personnel (temps), after six months full-time, and all members (except seasonal and non-DCTU temps).

b. Basis for leave: Death of spouse/domestic partner, parent, child, sister, brother, grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law or grandparent-in-law. Subject to staffing needs, PPA members will be allowed four hours of funeral leave to attend the funeral/memorial service of a member in the same RU. Under exceptional circumstances, death leave for DCTU members may be granted upon the death of a person other than the member’s immediate family.

c. Length of leave: PPA and PPCOA members may receive three days of paid administrative leave. The Chief of Police designates RU managers authority to grant members up to three additional paid days of travel time. DCTU members may receive three days with pay. Upon approval of the RU manager, an additional two days will be granted for necessary travel time. DCTU members will receive four hours off with pay when they attend a funeral of a co-worker from the member’s current assigned division or unit, subject to the staffing needs of their unit. COPPEA members receive the same as DCTU except the allowed three days of travel. Non-
represented members may receive three days with pay. Upon approval of the Commissioner-in-Charge, or his/her designee, an additional two days can be granted for necessary travel time.

d. Benefits: Continued coverage.

e. Member responsibilities: Notify their supervisor of the reason for and relevant dates of the leave and discuss any exceptional requests outside these provisions with their RU manager.

f. Supervisor responsibilities: Ensure member compliance with elements of Funeral Leave. If an exception is requested, refer to the RU manager. If a DCTU member, note as being on Extended Funeral Leave on the unit schedule.

g. RU manager responsibilities: Ensure consistent and fair treatment of all members.

Jury Duty Leave (210.21)

a. Eligible members: DCTU temp members after six months in a full-time budgeted position and all permanent members.

b. Basis for leave: Response to a subpoena to be a juror or witness.

c. Length of leave based on time requested by the court.

d. Benefits: Continued with pay.

e. Member’s responsibilities: Refer to City of Portland Human Resources Administrative Rule 6.09, Jury Duty.

Leave of Absence (LOA), Unpaid (210.21)

a. Eligible members: All members.

b. Basis for leave: For any reasonable purpose, at the Chief of Police’s discretion, except that LOA cannot be granted for the purpose of engaging in any other employment except to serve as an administrative assistant to a member of the City Council. ORS grants an automatic unpaid LOA during the State Legislative session for any member elected to that body.

c. Length of leave: The Chief of Police, or designee, may grant or extend an unpaid LOA for up to 30 days at a time. The Commissioner of the Bureau may grant an unpaid LOA for an unlimited period. The primary consideration will be the staffing needs of the unit in which the member works. If the unpaid leave is also designated as FMLA leave, the preceding may not apply.

d. Benefits: In LOAs longer than 30 days, members should refer to their bargaining agreement, city code and Personnel rules to determine what effect such an absence may have on their rank, seniority, accrued leave, benefits, etc. If there are additional questions, the member should contact their member representative and/or Personnel. Members may continue benefits (medical, dental, vision and life insurance) at their own expense.
e. Member responsibilities: Depending on the requested length of time, forward through channels a written request stating the purpose and length of the LOA, contact the RU manager regarding the need to vacate any locker and contact the Personnel manager for inactive status guidance. Failure to report at the end of the leave or failure to obtain an extension through the Personnel manager is a presumption of voluntary termination of employment.

f. Supervisor responsibilities: Make a recommendation on the request and based upon the length of leave, determine the need for locker space.

g. Personnel manager responsibilities: Based upon the length of leave, implement inactive status procedures.

Loss of Service (LOS) (210.21) Refer to DIR 410.00.

Military Leave – Paid Annual Leave (210.21)

a. Eligible members: Members of military reserve or National Guard units with six months prior employment.

b. Basis for leave: Participate in mandatory military training and activation.

c. Length of leave: State law grants 15 calendar days or 11 working days per training year provided the member has been a member of the city for six months prior to the requested leave. The training year is defined as the federal fiscal year of October 1st through September 30th. Members may voluntarily request activation for up to five years and be guaranteed employment upon returning. Members may be activated for the duration of a declared war and be guaranteed employment upon return with no loss in rank and full-continued credit applied to seniority and pension benefits.

d. Benefits: Continued benefits and no loss of seniority, status, rate of pay or vacation for either Annual Military Leave or Unpaid Military Leave.

e. Member Responsibilities.

1. Notify Court Coordinator, if applicable.

2. Present a LOA Application with written military orders to their supervisor. Members are requested to notify their supervisor of activation orders as soon as received.

3. Many units are provided with a list of scheduled drill dates at the beginning of the training year. Members should provide their RU manager with a copy of this schedule for planning purposes.

f. Supervisor responsibilities: Schedule member for Military Special Duty.

g. RU manager responsibilities: The Bureau is obligated by law to allow members to attend active duty regardless of advance notice of military
orders. This does not preclude investigation into the amount of advance notice a member was provided. The Employer Support of the Guard and Reserve is an organization dedicated to the resolution of conflict between the Bureau and members of the guard and reserve. RU managers have the discretion to adjust the member’s days off to attend military drill. Consideration is given to unit staffing needs.

Military Leave – Unpaid Annual Leave (210.21)

a. Eligible members: Members of military reserve or National Guard units with six months prior employment.
b. Basis for leave: Participate in non-mandatory military training and activation.
c. Length of leave: In coordination with their RU manager, members may use accrued vacation, holiday time, compensatory time or time off without pay for limited active duty such as military schools.
d. Benefits: Refer to LOA.
e. Member responsibilities: If any days off or schedule adjustment is needed, submit a written request to his/her supervisor.
f. Supervisor responsibilities: Make a recommendation regarding any requested days off or adjustment to the RU manager.
g. RU manager responsibilities: Consider, and if appropriate, authorize days off adjustment requests in accordance with unit staffing needs.

Parental Leave (210.21)

a. Eligible members: All procedures are identified in HR Administrative Rule 6.05.
b. Member, supervisor and RU manager responsibilities: Refer to the Family and Medical Leave section.

Pregnancy Leave (210.21)

a. Eligible members and member responsibilities: All procedures are identified in HR Rule 6.05. Refer to the Family Medical Leave section.

Probationary Member Absences (210.21)

a. Eligible members: Probationary members and members on promotional probation (i.e., members who have recently been promoted and are in the probation period of the new position or rank).
b. Basis for leave, length of leave, benefits and member responsibilities: Refer to the applicable section of this directive.
c. Supervisor responsibilities: When a probationary member is off work or assigned to a limited duty for an extended period of time, his/her training is substantially affected. To help maintain a high level of training for these
probationary members, their probationary period may be extended for the amount of time they were off work or assigned to limited duty and not available for normal training and evaluation.

1. Sworn members:
   a) When a probationary sworn member is off duty due to an injury for three or more weeks, or assigned to a limited duty status for a period of three consecutive weeks or longer, or if any of these conditions are expected, the member’s supervisor will notify Training in writing. The notification will include the last day the member worked and the circumstances of absence or assignment to limited duty. This notification is to be made at the time absences are approved or after injuries or illness have occurred with the medical prognosis indicating length of recovery time.
   b) When the probationary member returns to duty, the member’s supervisor will notify Training in writing as to the date the member returned to duty.
   c) Training will make recommendations to the Chief of Police through Personnel as to whether probation should be extended.

2. Non-sworn members: When a non-sworn probationary member is off duty for more than one week, the member’s probation period will be extended. The probation period may be extended for a period not to exceed 90 days by agreement between the City, the union and the affected member.

d. RU manager responsibilities: Coordinate any extension of probationary period with Personnel.

Sick Leave (210.21)

The use of sick leave shall be governed by city code and applicable bargaining agreements. Accumulated sick leave may be used for approved parental leaves.

a. Eligible members: PPA members after three months of service, DCTU members after 90 days of service and non-sworn, non-represented members after 30 days of service.

b. Basis of leave:
   1. Member: Non-service injury, illness or condition that renders a member unable to work or requires time off for diagnosis or treatment.
   2. Member family: If a member’s spouse, domestic partner, parent, child or other person for whom the member is legal guardian becomes ill or injured and alternate means of transporting or caring for the person cannot be arranged immediately by the member.

c. Length of leave:
   1. Non-sworn, non-represented FLSA exempt members: If a member goes on sick leave prior to the end of their shift, the member’s sick
POLICY AND PROCEDURE

leave will not be charged with the time that remains in the shift.

2. Sworn, non-sworn represented and non-represented, and non-exempt FLSA: Shall be charged with those hours actually used.

3. DCTU members: If more than three or four days are used, the member must contact their supervisor to see if a doctor’s certificate is required.

4. Members may not use sick leave during their scheduled vacation or on a holiday. If a holiday occurs, he/she shall be considered off on a holiday. Exceptions can be made by the Commissioner-in-Charge.

5. All members: A maximum of 40 hours of sick leave per year may be used for care of the member’s spouse, domestic partner, parent, child or other person the member is a guardian for.

d. Benefits: Maintained while on sick leave.

e. Member Responsibilities.

1. Promptly notify their immediate supervisor that sick leave is to be used and why. If no supervisor is available, members assigned to a precinct shall report to the desk clerk. The desk clerk shall complete a Sick Leave Report and notify a supervisor as soon as possible. Members assigned to other divisions or units shall report to the acting supervisor or most senior person available to take the report.

2. DCTU members: If sick leave is used for more than three or four days, the member must contact their supervisor to see if a doctor’s certificate is required.

3. Sworn members: For an extended illness or injury, refer to DIR 410.00.

f. Supervisor responsibilities: Ensure the Sick Leave Report is complete and contact the member, if necessary, and ensure the member is noted on the shift schedule as being sick and forward the Sick Leave Report to the RU’s timekeeper. Identify if the sick leave use is consistent with a need for Family Medical Leave information as described in HR Administrative Rule 6.05 and follow up as appropriate. For DCTU members, on the fourth day of continued illness, consult with the member and RU manager to determine whether there is a need for a physician’s certificate.

g. Relief or unit manager responsibilities: Primary concern is for the welfare of the member. Sick time use can easily reflect problems, which through attention and resolution can result in positive improvement. Ensure supervisors periodically examine each member’s total sick leave usage and if necessary, conduct further investigation to identify the cause(s).

Union Business Leave (210.21) Refer to applicable contract.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (210.21)

Supervisors will assist their members, as necessary, to ensure the procedure is followed for the type of leave requested. RU managers will ensure that all LOAs of their members are coordinated with all appropriate divisions, which may include Branch chief, Personnel, Training, etc. Managers will also ensure that their RUs comply with all applicable laws as well as applicable bargaining agreements.

210.22  EMPLOYEE TIME TRACKING

Index:  Title,  
Refer:  City of Portland Administrative Rule 8.03  
Congress Police Commanding Officer Association agreement

POLICY (210.22)

Consistent with principles of public accountability, members who are exempt from overtime under the Fair Labor Standards Act shall account for their work time and activities.

PROCEDURE (210.22)

Tracking time

Members will maintain a system to track work hours and activities that will be kept for future reference.

a. Members will accurately reflect work hours on a daily basis.

b. Each member will record hours worked noting starting and ending times. When recording hours worked outside the normal work schedule, the member will note the nature of the work such as call-outs, community events or meetings. Those notations will be specific and include the time and location of the activity.

c. If members take time off work before their normal shift ends or during any part of a full shift, they will report that they are off duty during that period on the monthly calendar.

d. Members will record a running tally of extra hours worked minus time taken off during a shift and note this on the bottom of the monthly calendar. Notation on the calendar will also be made for those days a member is in an on-call status, but those hours will not be included as extra hours worked in the monthly tally.

e. Members will provide a copy of their monthly report through channels to the appropriate Branch chief by the 10th of the following month.

Supervisor Responsibilities (210.22)

a. Each supervisor will review calendars for completion and submit through channels.
b. Each Branch chief will determine what tracking format and/or calendar members will use to account for work time and activities.
c. The Chief of Police or appropriate Branch chief will review the calendars and forward to Fiscal as a central location for future reference.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (210.22)
Tracking of time will be the responsibility of each member, with each member solely and personally accountable for their own record.
Each RU will have established SOPs on timekeeping responsibilities.
Fiscal will maintain copies of the reporting calendars and approved requests for a period of two years.
FLSA-Exempt Non-Represented members may apply in writing for Management Leave as referred to in the Bureau of Human Resources’ Administrative Rule 8.03.
FLSA-Exempt PPCOA members may apply in writing for Executive Leave as referred to in the City of Portland/PPCOA collective bargaining agreement.

210.23 ADMINISTRATIVE LEAVE
Index: Title
Refer: DIR 335.00 Performance Review and Use of Force Review Boards
       DIR 341.00 Discipline Process
       DIR 1010.10 Deadly Physical Force

POLICY (210.23)
Sworn members will be placed on administrative leave following any use of deadly force or the attempted use of deadly force in the performance of his/her duties. Bureau members, who witness the use of deadly force by a sworn member, may also be placed on administrative leave pursuant to this directive. The administrative leave process is designed to be responsive to the Bureau’s investigative needs while being supportive of the well-being of the member(s) involved.

PROCEDURE (210.23)
Administrative Leave (210.23)
The witness member may be placed on administrative leave for a minimum of three days. If the witness member is placed on administrative leave for more than three days, the witness member will be required to consult with a mental health professional prior to his/her return to the workplace.
The involved sworn member is placed on administrative leave until the completion of the Grand Jury. If there is a scheduling delay for the critical incident debrief, the involved sworn member may return to work prior to the debrief.
The critical incident debrief is scheduled by the Employee Assistance Program...
(EAP) coordinator as soon as possible after the Grand Jury.

Requests for administrative leave for incidents other than member involved shootings and in-custody deaths must be approved by the Chief of Police.

**RU Managers Responsibilities (210.23)**

**For Witness Members Post-mandatory Leave and Prior to Grand Jury (210.23)**

RU managers will:

a. Request EAP services.

b. Conduct a return-to-work meeting to assess readiness for returning to work. Determine the appropriate course of action which may include:

1. Approval of up to an additional 40 hours of administrative leave. Additional hours of leave may be approved by the respective Branch chief. A copy of the approved request is sent to Fiscal Services (Fiscal).

2. A temporary alternative assignment.

3. Placing the witness member into the same process as the involved member.

**For Involved Sworn Members Post Grand Jury and Prior to Critical Incident Debrief (210.23)**

RU managers will:

a. Conduct a return-to-work meeting with the sworn member and his/her representative, if requested, to assess readiness for returning to work. Determine the appropriate course of action.

1. Ensure the sworn member’s weapon is returned, and schedule a firearms qualification time prior to returning to regular duty.

2. Determine a return-to-work plan, which may include:

   a) Approval of up to an additional 40 hours of administrative leave. Additional hours of leave to be approved by the respective Branch chief. A copy of the approved request is sent to Fiscal.

   b) Assignment to work with a partner.

   c) An alternative assignment.

3. EAP services will be requested.

4. Facilitate any reorientation training to assist with the sworn member’s ability to return to the workplace.

5. Submit the return-to-work plan to the appropriate Branch chief.

**RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL (210.23)**

The Training Division and EAP will coordinate and provide training to RU managers in the recognition of the signs of ongoing problems related to deadly force incidents. The training will outline matters to discuss relating to the deadly
force incident. This training will assist the RU manager in his/her return-to-work meeting with the sworn involved member(s).

EAP will coordinate four required consultations with a designated mental health professional for the involved sworn member(s). The first consultation will occur prior to the Grand Jury. The second consultation will occur 30 days following the incident, the third consultation will occur six months following the incident, and the final consultation will be scheduled for the one year anniversary date of the incident.

EAP will schedule a critical incident debrief as soon as possible at the conclusion of a Grand Jury in a deadly force incident. Involved sworn members will adjust their shift to attend the required consultations, outside of their normal work hours.

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**210.24 PETTY CASH**  
Index: Title  
Refer: Petty Cash Voucher Form (City)  
PPB Financial Policies Handbook – Dollars and Sense (Fiscal)

**PROCEDURE (210.24)**

a. Purchases may be reimbursed from petty cash with prior approval from the appropriate RU manager or designee for goods not exceeding $100.00 per total purchase.

b. The Petty Cash Voucher Form will be completed by the member before making the purchase. If appropriate, the RU manager or designee may then approve the voucher. The manager or designee will indicate the center code and account codes to which the purchase is to be charged. Authorized signees cannot approve their own Petty Cash Voucher. Two authorized signatures are required.

c. After completing the purchase, the member will sign the Petty Cash Voucher and forward it, along with the original receipt, to Fiscal Services Division (Fiscal).

d. The Fiscal manager, or designee, will review the Petty Cash Voucher for completeness and compliance with purchasing with purchasing directives. If in compliance, the Petty Cash Voucher will be approved.

e. If in compliance, the Petty cash request & voucher will be approved and processed within one week.
   1. Totals in excess of $20.00 will be paid by check.
      a) Petty Cash Vouchers may be submitted to Fiscal for check reimbursement through interoffice mail.
      b) The check will be returned by interoffice mail.
   2. Totals less than or equal to $20.00 may be paid in cash.
      a) Petty Cash Vouchers for cash reimbursement will be presented to
b) Cash will not be sent through interoffice mail.

g. Magazine subscriptions, books, organization dues and other items being ordered by mail may be ordered through Fiscal from the petty cash account provided a vendor supplied order form showing the cost of the item being ordered (not to exceed $100.00) is presented.

h. Small invoices for purchases, shipments, etc., may be paid by petty cash check in lieu of a check from Central Accounting. The vouchers require appropriate approval signatures.

210.29 PERSONNEL ASSIGNMENTS
Index: Title; Assignments; General Administration

POLICY (210.29)
Assignment of members should be based on providing quality service and development of individual skills and career potential. Selection of members for specialty assignments requires Bureau-wide posting and will encourage applicants who are not currently in specialty assignments to apply. Divisions may recommend minimum and maximum times in assignments in order to meet Bureau goals, with the approval of the Chief of Police.

210.30 TIMEKEEPING AND OVERTIME
Index: Title; Overtime
Refer: Bargaining Units Agreements
       City of Portland Personnel Rules
       DIR 880.20 Court Coordination
       Overtime Reporting, Subpoenas
       Dollars and Sense Manual (Fiscal)
       Overtime Slips (Fiscal)

POLICY (210.30)
The accurate accounting of each member’s work hours and leave taken, and the submission of timekeeping records will be done in an expeditious manner. Submission of timekeeping records to Fiscal Services (Fiscal) by all RUs and units should be done daily. The reporting of work hours, including overtime (OT), and
the payment for those hours will be in accordance with City Code and Personnel rules, Bureau policy, wage and hour laws and bargaining agreements.

**PROCEDURE (210.30)**

**Member Responsibilities**

a. Members will ensure that their police reports include only the minimum number of members integral to the case.

b. Report all hours worked, including all OT, to a supervisor or their inbox by the end of the shift. Members will not retain OT slips over different pay periods.

c. Overtime.
   1. Overtime must be pre-approved.
   2. Members may not authorize their own overtime.
   3. When OT is worked on a member’s day off, while on vacation, or other leave, OT slips will be submitted to a supervisor no later than the beginning of the member’s next regular shift.
   4. Members are responsible for the accuracy and submission of their own OT hours worked. Members will not approve another member’s OT slip unless they are that member’s supervisor or acting supervisor.
   5. Members will promptly review their paycheck stub for the accuracy of regular hours and OT paid, compensatory time credited and vacation, compensatory time or other leaves taken. Members will report to their timekeeper or immediate supervisor any inconsistency that may not accurately reflect their time records, by their next shift.

d. Occasionally, a member is on sick leave pending approval of a claim for disability from Fire, Police, Disability and Retirement (FPD&R) or the City’s Risk Management office. After the claim has been approved and paid, FPD&R will send the member an Authorization to Transfer Disability Benefit form. The form needs to be signed and returned to FPD&R in order to have sick leave reinstated.

**Supervisor Responsibilities (210.30)**

a. Ensure members perform in a manner that minimizes the need for OT.

b. Assign non-emergency service requests received near shift changes to on-coming shift members.

c. Ensure police reports include only the minimum number of members integral to the case.

d. Ensure all OT is authorized in advance, unless unforeseen circumstances exist.

e. Ensure that OT slips are completed in accordance with Fiscal’s procedures (see the instructions on the OT slip and the Dollars and Sense manual).
f. Approve the accuracy of OT slips, sick slips and the Uniform Daily Assignment Roster (UDAR) with signature, Bureau I.D. number, date approved and immediately forward as appropriate. Signature stamps will not be used. Supervisors will ensure UDARs indicate the start and end times of each member’s shift. When members are assigned to training, travel, or other temporary assignments, supervisors will ensure training, travel, and supporting documents are consistent with the member’s start and end times reported for regular and overtime hours.

g. Coordinate vacation, training and other related staffing requirements to minimize staffing shortages.

h. Ensure members review the accuracy of their hours, as required above.

i. Ensure inconsistencies are reviewed and reported to the timekeeper.

RU Manager Responsibilities (210.30)
a. Ensure division performance that minimizes the need for OT.
b. Ensure all aspects of assignments are evaluated to determine if OT is justified.
c. Monitor OT reports and identify any unusual, unexplained or disproportionate expenditures in OT. Some examples are:
   1. Significant and unexplained changes in OT when compared to similar periods or activities.
   2. Increased expenditure of OT at a rate that could negatively affect the Bureau’s budget.
d. Ensure RU timekeeping documents are accurate and reported expeditiously to Fiscal.

Fiscal Services Division Responsibilities (210.30)
a. Accurately account for reported time and ensure that timekeeping rules are applied consistently.
b. Prepare and analyze timekeeping documents for processing by Central Payroll.
c. Report to RU managers any changes made to payroll documents, or inconsistency or patterns of concern found within their submitted timekeeping documents.
d. Distribute OT reports on an accounting period basis for review by the RU managers.

Personnel Division Responsibility (210.30)
Personnel Division will interpret all bargaining agreements, with the assistance and advice of the Bureau of Human Resources, if necessary.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (210.30)
RU managers will ensure accurate completion and expedited submission of their timekeeping documents to Fiscal’s Payroll Unit. Fiscal will ensure the consistent application of City Code, City Personnel rules, Bureau policies and procedures, wage and hour laws and bargaining agreements.

210.31 ELECTRONIC PERSONNEL ACTION NOTICES (EPANs)
Index: Title
Refer: EPAN Procedure Manual (Personnel)

POLICY (210.31)
The Personnel Division (Personnel) will be responsible for the completion of Electronic Personnel Action Notices (EPAN) which are directly related to Personnel Actions to include the following:

a. Change of Address.
b. Leaves of Service (LOS).
c. Resignations.
d. Retirements.
e. Change of Class code.
f. Name change.
g. Return from Layoffs.
h. Change of Personnel Status Code (PSTAT).
i. Notice of Vacancy.
j. Return from LOS.
k. Demotions.
l. New Hires.
m. Terminations.
n. Layoffs.
o. Promotions.
p. Transfers outside the Bureau.

Fiscal Services (Fiscal) will be responsible for the completion of EPANs directly relating to monetary adjustments, to include the following:

a. Annual raises.
b. Step raises.
c. Transfer within the Bureau.
d. Leaves of Absence (LOA).
e. Return from LOA.

Both Personnel and Fiscal must send a copy of the completed EPANs to each other in order to coordinate movement of members.
210.40 PERSONNEL INFORMATION REQUIRED

POLICY (210.40)
All members will provide the current telephone number and the current mailing address of their residence. The use of a post office box or an address other than the member’s actual residence is prohibited. RU managers may authorize temporary exceptions for good cause providing that the member supplies the RU manager with the actual residence location. Unless ordered by the court to do so, the Bureau will not disclose a member’s home address.

PROCEDURE (210.40)
The Personnel Information Update Report will be used when there is a change in name, address, telephone numbers, family status, marital status, equipment, emergency notification, assignment or relief. The member is responsible for completing and distributing the form within 72 hours of the change. Such notification is still required when the member is on leave or disability.

Members on leave or disability may make changes by notifying their supervisor by telephone. The supervisor will then complete and distribute the Personnel Information Update Report. The original will be returned to the Personnel Division (Personnel) and the yellow copy will be kept in the field 201 file.

FTOs will ensure that the Personnel Information Update Report for their recruits are properly completed and returned to Personnel within 72 hours of a change.

All precincts/divisions/units will be responsible for ordering their own forms through Printing & Distribution.

210.45 CIVILIAN VOLUNTEERS

POLICY (210.45)
All volunteers will be required to complete an application form and undergo a background investigation. Additionally, volunteers will be required to sign the appropriate forms required by the Personnel Division (Personnel). Responsibility for conducting background investigations on volunteer applicants may be delegated to the affected RU manager by the Personnel manager. The original file will be forwarded to, and maintained by, Personnel. No volunteer is to start work without the approval of Personnel.
RU managers or their designees will closely monitor volunteers assigned to their units. Volunteers are not to be assigned to tasks normally performed by sworn or non-sworn members. Access to confidential or sensitive materials by a volunteer will be allowed at the discretion of the RU manager. When access to Portland Police Data System (PPDS) files is permitted, RU managers will ensure that a non-disclosure agreement form is signed and sent through channels to Personnel.

Volunteers will serve at the discretion of the RU manager where they are assigned, and their services may be terminated at any time without showing cause. RU managers dissatisfied with the services of a volunteer will advise the volunteer that their services are no longer required and are henceforth terminated. RU managers will detail the reasons for termination in an inter-office memorandum, and forward it to the Personnel manager, who will place the memorandum in the volunteer’s permanent file.

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210.80 EXTRA EMPLOYMENT

Index: Title
Refer: Extra Employment Permit Form (Personnel)

POLICY (210.80)

No member shall engage in any work, occupation, profession, business, partnership, self-employment, or management of another’s property except as provided herein:

a. Sworn members may:
   1. Teach law enforcement subjects with the approval of the Chief of Police.
   2. Engage in extra employment designed to improve the police image (i.e., write articles for professional journals) with the approval of the Chief of Police.
   3. Engage in the sale of products of their own creativity that does not require licensing (i.e., painting, art works, unique fabrications).

b. Non-sworn members may engage in extra employment with the approval of the Chief of Police. However, they shall not work:
   1. At any employment which is hazardous.
   2. At any employment likely to diminish the effectiveness of the member.
   3. At any employment likely to erode the dignity of police services.
   4. At any employment which results in another qualified person being deprived of rightful employment.
   5. At any employment which involves the mixing, selling, or serving of any alcoholic beverages.
   6. In or about an establishment where alcoholic beverages are con-
sumed, unless specifically approved by the Chief of Police or Branch chief.
7. In any capacity connected with ambulance services or taxicab company.
8. As a process server or bill collector or any employment in which police power is used for private purposes of a civil nature.
9. At any employment which assists in any manner the case preparation for the defense of any criminal action or civil process.
c. Members (sworn and non-sworn) are permitted, without specific approval of the Chief of Police, to make investments, rent their own property to another (unless a business license is required) and enter into partnerships which are operated exclusively by others provided such investment, rental or partnership is not in violation of the provisions under section b, or likely to jeopardize the reputation of the member or the Bureau.
d. The Chief of Police may grant exceptions in cases of financial hardship. A financial statement is required with any such request. All hardship requests will be handled in a confidential manner.

No more than twenty (20) hours extra employment will be allowed during a workweek. Excluded from the twenty (20) hours is vacation or holiday time a member takes off to work at extra employment (i.e., a member could take forty (40) hours vacation to work forty (40) hours of extra employment plus the allowed twenty (20) hours for a total of sixty (60) hours during a week).

A member may request permission to engage in extra employment by completing an Extra Employment Permit Form and submitting it through channels to the Personnel Division (Personnel) manager. The Personnel manager will examine the form for completeness, accuracy and appropriate endorsement, then forward the form to the Chief of Police. After acting on the request, the Chief of Police will return the form to Personnel for copying and distribution to files.

210.90 RECOGNITION AND AWARDS

Index: Title; Awards – Certificates, Letters, Medals; Awards – Review Committee; Commendations; Meritorious Police Work
Refer: DIR 335.00 Use of Force Review Boards
      DIR 336.00 Performance Review Boards
      DIR 1110.00 Appearance Standards
      Award Nomination Application (Personnel)

PROCEDURE (210.90)

All community and Bureau members are encouraged to report acts of exemplary service to the community or Bureau that are deserving of recognition. Bureau members and community members may report such acts through any RU manager.
The RU manager will forward all award nominations to the Branch Chief for their review. The Branch chief will forward all award nominations to the Review Board Coordinator (RBC). The RBC will determine if the UFRB has made any findings on cases related to the award nomination, or if there are UFRB pending cases related to the award nomination. The RBC will forward all award nominations with their findings to the EAP Awards Facilitator.

Nominators may submit copies of police reports, news articles or other written materials as supportive documentation. The Award Review Committee may initiate award nominations. The Chief of Police may issue an award outside of the established awards process for those acts that are obvious and time is of the essence in the presentation of the award.

The EAP facilitator will schedule committee meetings and notify its members with written information regarding nominations one week prior to scheduled meetings. The Award Committee meetings will be scheduled in the months of February, March, April and May for the Awards Ceremony to be scheduled in June and September, October, November, December for the Awards Ceremony to be scheduled in January.

The Committee will meet to review and investigate the circumstances of each nomination submitted. If the Committee recommends against an award or recommends a lesser award, they will notify the nominator before submitting the nomination and their recommendation to the Chief of Police. If the nominator is not satisfied with the Committee’s recommendation, the nominator may contact the facilitator, and schedule an oral presentation before the Committee. The facilitator will excuse the nominator from the voting portion of the Committee meeting. The Committee will forward all award nominations to the Chief of Police with their recommendations.

The facilitator will review Awards Committee recommendations. The UFRB findings will be added to the Awards Committee recommendations report before forwarding to the Chief of Police. No award will be presented until the UFRB has determined that the member’s actions were within Bureau policy.

The final decision to approve, disapprove or modify the type of award the nominee should or should not receive will be made by the Chief of Police. The Chief of Police will forward a list of approved awards to the facilitator, and the facilitator will forward that list to the Independent Police Review Division (IPR). The facilitator will notify the nominator and nominee of the outcome of the approved awards.

The EAP facilitator will complete an award memorandum, signed by the Chief of Police, titled Personnel Order – Personnel Commendation addressed to each award recipient. It will contain a summary of the action or service performed by the recipient. Personnel will distribute the order for Bureau-wide recognition and place a copy in the recipient’s Personnel file. The facilitator will schedule an awards ceremony twice a year where the Chief of Police will present the awards.

The facilitator will draft a narrative for each award. The narrative will be for-
awarded to the Chief’s Office, Public Information Officer for review and will be read at the awards ceremony.

**Award Review Committee (210.90)**

The Committee will be comprised of eighteen members (seventeen voting members and the facilitator voting only in order to break a tie) as follows:

a. Operations Branch: six members, one from each precinct and one sergeant appointed by the Operations Branch chief.
b. Services Branch: Two members appointed by the Services Branch chief.
c. Investigations Branch: Three members appointed by the Investigations Branch chief.
d. Command: Two members appointed by the Chief of Police.
e. Non-Sworn: Two members, one a non-sworn supervisor, appointed by the Chief of Police.
f. Community: Two members selected by the Chief of Police and drawn from members of the Police Advisory Committees.

Committee meetings will be held on a regular basis. Members will be asked to serve a two year commitment on the committee. At the 18-month mark, new community members would attend two meetings along with the outgoing member to provide an orientation to the process. Members must attend at least three committee meetings per calendar year to maintain their standing. Sworn members must submit a notice of court unavailability for the dates of the meetings. If a member is unable to attend a committee meeting, he/she is responsible for finding a replacement to attend the meeting.

A quorum will consist of eight voting members and the facilitator. A quorum is required for the Committee to consider recommendations.

**Description of Awards – In Order of Distinction (210.90)**

**Medal of Valor**

The Medal of Valor is the most distinguished award presented to a sworn Bureau member for an act of outstanding valor. The nominee must have demonstrated, in great degree, the qualities of selflessness, personal courage and devotion to duty. The Medal of Valor award will include a medal worn on a neck ribbon, a burgundy ribbon bar with a “V” insignia in the middle, a miniature ribbon bar of the same design and a framed certificate. Factors for consideration of the nominee for this award are:

a. The act involved the preservation of human life.
b. The situation was extremely hazardous; the nominee was able to evaluate the situation, was aware of the hazards and took action.
c. A strong possibility of death or serious physical injury existed when the nominee acted.
d. The nominee’s actions were consistent with good judgment and Bureau training and policy.
e. The nominee would not be subjected to reasonable criticism had he/she not taken action.
f. The objective was of sufficient importance to justify the risk.

**Civilian Medal – Heroism (210.90)**

The Civilian Medal – Heroism is the most distinguished award presented to a non-sworn Bureau member or a community member for an outstanding act of heroism. This act must be consistent with the factors described in the Medal of Valor section of this DIR. The Civilian Medal – Heroism will include a medal worn on a neck ribbon, a purple miniature ribbon bar, and a framed certificate.

a. The act involved the preservation of human life.
b. The situation was extremely hazardous; the nominee was able to evaluate the situation, was aware of the hazards and took action.
c. A strong possibility of death or serious physical injury existed when the nominee acted.
d. The nominee’s actions were consistent with good judgment.
e. The nominee would not be subjected to reasonable criticism had he/she not taken action.
f. The objective was of sufficient importance to justify the risk.

**Police Star (210.90)**

The Police Star is awarded to any sworn Bureau member who sustains a serious physical injury or dies while taking proper police action; or to a non-sworn Bureau member or community member who sustains a serious physical injury or dies while properly protecting the life or property of another. The Police Star award will include a pin ribbon medal, a black ribbon bar, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. The nominee required protracted medical care because of the injury.
b. The nominee will suffer protracted pain or disfigurement because of the injury.
c. The nominee’s actions would not tend to discredit such recognition.

**Police Medal (210.90)**

The Police Medal is awarded to any sworn or non-sworn Bureau member or community member for an act of exceptional courage that distinguishes their action from normal service. The Police Medal award will include a pin ribbon medal, a blue ribbon bar with a burgundy section in the middle one third, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. During the course of an extended investigation, the nominee was exposed
continuously and singly to personal danger.

b. Deadly force was used against the nominee and a serious risk to their life occurred.
c. There was a serious threat to their life and the nominee had to use deadly force to address the threat.
d. The nominee acted with personal courage in a single act, but it did not necessarily include the preservation of human life.
e. The nominee’s actions were consistent with good judgment and Bureau training and policy.
f. The nominee was shot at or seriously menaced but still completed the required task.
g. The nominee acted properly to protect people or property with less regard for their own well being than for the well being of the person or property they were protecting.

Life Saving Award (210.90)

The Life Saving Medal is awarded to any sworn or non-sworn Bureau member or community member who saved the life of another person. The Life Saving Medal award will include a pin ribbon medal, a green ribbon bar, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. The nominee was aware of the seriousness of the situation.
b. The nominee acted purposely.
c. The nominee did not carelessly create the situation causing the need for them to act.
d. If the nominee had not acted, it was more likely than not the person would have died.
e. The nominee rescued a person from what would have otherwise become a life-threatening situation.

Distinguished Service Medal (210.90)

The Distinguished Service Medal is awarded to any sworn or non-sworn Bureau member or community member for exceptional accomplishments, which went above and beyond their assigned work duties or responsibilities and furthered the goals of the Bureau and/or enhanced the livability of the community. The Distinguished Service Medal award will include a pin ribbon medal, a blue ribbon bar, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. The nominee made a significant and major contribution to the development of programs, policies or procedures, which had a substantial and positive impact on the goals of the Bureau.
b. The nominee conducted a long-term investigation or solved a neighbor-
hood problem that had a tremendous impact on the community.
c. The nominee took exceptional action while assisting the community.
d. During the course of ones career, the nominee performed in an exceptional
manner (of greater significance than those acts noted for the Achievement
Medal).

**Officer Mark Zylawy (Z-Man) Distinguished Service Medal (210.90)**

The Officer Mark Zylawy Distinguished Service Medal is awarded to any
sworn Bureau member who consistently delivers police service in a manner that
embodies the values of the Portland Police Bureau. The sworn members are to
be recognized for their compassion towards others, their excellence in service and
their high moral and ethical standards in which they deliver service on a day to day
basis. The Officer Mark Zylawy Distinguished Service Medal award will include
a Montana Blue pin ribbon medal with a Montana Gold Z emblazed in the center
of the medal, a Montana Blue Ribbon Bar with a Montana Gold Z emblazed in the
center of the medal, a miniature ribbon bar and a framed certificate. The award
will be issued once a year, at the January award ceremony, the month that Officer
Mark Zylawy was killed. Factors for consideration of the nominee for this award
are:

a. The nominee has delivered police service on a day to day basis with
   compassion and has made a marked impact on the community
b. The nominee has a high moral and ethical standard that has earned them
   a large degree of respect and praise among their peers.
c. The nominee is tactically sound.
d. The nominee delivers service with a high degree of dedication to duty
   and consistently strives to improve the organization and community.
e. The nominee mentors others in delivering superior police service.
f. Preference will be given to members acting in a uniform capacity.

**Nathan Thomas Memorial Distinguished Service Medal (210.90)**

The Nathan Thomas Memorial Award is awarded to any sworn or non-sworn
Bureau member or community member for an act of outstanding performance by
which the nominee demonstrated in great degree, exceptional communicative ac-
complishments which further the goals of Community Policing and/or shows acts
of selflessness, personal courage, and devotion to the community. The award will
include a pin ribbon medal, a blue, green, blue ribbon bar, a miniature ribbon bar
and a framed certificate. The Nathan Thomas Memorial award will be issued once
a year at the June award ceremony. Factors for consideration of the nominee for
this award are:

a. The act serves as an example of excellence in communication.
b. The individual defused a violent/explosive situation through communica-
tion.
c. The act served as a linkage between the Police and the community.
d. The outcome of the act is long lasting and serves as a definition of community policing.

Achievement Medal (210.90)
The Achievement Medal is awarded to any sworn or non-sworn Bureau member for achievement that went above and beyond their assigned work duties or responsibilities meriting greater recognition than a Commendation Medal, but not sufficient to merit the Distinguished Service Medal. The Achievement Medal award will include a pin ribbon medal, a dark blue ribbon bar with a light-blue section in the middle one third, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. The nominee’s act brought great credit to the Bureau and the profession.
b. During the course of a long-term assignment, the nominee performed in an exemplary manner.
c. The nominee acted as an outstanding role model or mentor for others within the criminal justice profession.
d. The nominee made a significant contribution to the development of programs, policies or procedures, which had a substantial and positive impact on the goals of the Bureau.
e. The nominee conducted an investigation, made an arrest or solved a neighborhood problem that had a marked impact on the community.

Commendation Medal (210.90)
The Commendation Medal is awarded to any sworn or non-sworn Bureau member or community member for performance(s) that went above and beyond their assigned work duties or responsibilities meriting greater recognition than a Letter of Commendation. The Commendation Medal award will include a pin ribbon medal, a light-blue ribbon bar, a miniature ribbon bar and a framed certificate. Factors for consideration of the nominee for this award are:

a. The nominee was/is involved in a distinctive off-duty activity, which supported(s) the community.
b. The nominee exemplified the Community Policing philosophy through close cooperation with the community and/or other agencies.
c. The nominee has received Letters of Commendation or awards from the Bureau, from other agencies or organizations or from private citizens which bring credit to the Bureau and the community.
d. The nominee authored law enforcement related material published in a national publication.
e. The nominee solved a long-standing problem through his/her own initiative.
f. The nominee performed with distinction as an Acting Sergeant, Lieutenant, Captain, or non-sworn Supervisor or Manager.

Unit Commendation Medal (210.90)
The Unit Commendation Award is awarded to any unit, relief or division whose members, as a group, performed in a manner, which if performed by an individual, would merit recognition in the form of a Commendation Medal, Achievement Medal or Distinguished Service Medal. The Unit Commendation Award will include a Letter of Commendation with an annotation of Unit Commendation Award at the top and a light-blue ribbon bar with a dark blue section in the middle one third, and a miniature ribbon bar, a framed certificate presented to each unit member; and a framed certificate to the unit, relief or division. The Unit Commendation Award uniform ribbon bar may be issued to any member who has previously earned a Unit Commendation Award signed by the Chief of Police.

Issuance of Ribbon Bars (210.90)
a. Sworn members receive both ribbon bars.
b. Non-sworn members receive the miniature ribbon bars.
c. Citizens do not receive ribbon bars (except with the Citizen Medal – Heroism).

Letter of Commendation (210.90)
The Letter of Commendation is awarded to any sworn or non-sworn Bureau member for distinguished service. If the service only affected a RU, the RU manager will sign the letter. If the service affected the Bureau, the Chief of Police will sign the letter.

Certificate of Appreciation (210.90)
The Certificate of Appreciation is awarded to any community or Bureau member who directly aids the community in promoting the Community Policing effort in a distinctive way. The Certificate of Appreciation will include a framed certificate and a letter signed by the Chief of Police describing the nominee’s contribution to the law enforcement effort.

Replacement of Awards: Damaged or Lost Awards (210.90)
Past recipients of the Medal of Valor, the Police Medal and/or the Police Star (gray ribbon) may exchange their previous uniform ribbon bar for the redesigned uniform ribbon bar. The facilitator will repair or replace damaged or lost awards at his/her discretion.

Purchase of Duplicate Medal or Ribbon Bars (210.90)
Members wishing to purchase duplicate medals or ribbon bars must contact the
facilitator to arrange the purchase through the Fiscal Services Division.

**RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (210.90)**

The RU manager who receives award nominations will ensure that an Award Nomination Application, along with all available supportive documentation, is completed and forwarded to their appropriate Branch chief. Nominators may forward a copy of the awards nomination to the facilitator but the original must be forwarded through channels to their appropriate Branch chief. The Branch chief will forward all award nominations to the Review Board Coordinator (RBC). The RBC will forward all award nominations with findings to the Award Facilitator in EAP. The Personnel manager is responsible for the support and overall functioning of the awards process. The facilitator will provide clerical support, act as the custodian of the files and will provide the Chief’s Office with a list of recommendations to fill Committee member vacancies. The RBC will also be responsible for reviewing personnel files and IAD files when that information applies to a case under review.

**211.00 DPSST NUMBERS**

*Index:* Title; Bureau Identification Numbers

**POLICY (211.00)**

Sworn members’ Bureau identification (I.D.) number will be the same number as assigned by DPSST. Non-sworn members will be assigned numbers by Personnel. The Personnel Division is responsible for obtaining and issuing the I.D. numbers to new members. Members will use their I.D. number on all reports, official correspondence and citations. When a citizen requests a member’s badge number, the member will provide his/her I.D. number.

When referring to another member by name in any report or official correspondence, the I.D. number of that member will be cited at least once to ensure the member is properly identified.

**211.20 FILES, BUREAU AND DIVISION PERSONNEL**

*Index:* Title; Personnel Files

Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process
City Auditor’s Record Retention Schedule, 8000 Series

**POLICY (211.20)**

The Personnel Division (Personnel) will be responsible for creating a Bureau Personnel File (201) and a Division Personnel File (Field 201) for all members on
their appointment to the Bureau. Members are allowed reasonable access to both of their personnel files. Access is controlled and any inspection or copying of the files by a member must be approved and observed by a supervisor. Members will not be allowed access to pre-employment information or investigation reports. Any member may submit a rebuttal report to information in their personnel file and have that report placed in the file. Rebuttal reports dealing with personalities or other irrelevant material will not be accepted. Rebuttal reports must be reviewed by the Personnel manager. The files will be retained in suitable cabinets with a locking mechanism. When not in use, the cabinets will be locked.

The Bureau personnel file will be permanently filed and maintained in Personnel. Any documentation entered into the file becomes a permanent part of that file and will not be removed without specific approval of the Chief of Police. Command members will have access on a need-to-know basis to the files through the Personnel manager. The files will contain a complete record of each member’s personal and career history, to include:

b. All probationary evaluation reports and semi-annual evaluations (evaluations will be maintained for a minimum of two years).
c. Copies of all Letters of Commendation.
d. Copies of all written disciplinary actions signed by the Chief of Police (reports completed by the Internal Affairs Division will not be included in any personnel files).
e. Any other documented information that would aid in the evaluation of a member’s job performance.
f. Extra employment permits.
g. Any other information, as directed by the Chief of Police.

The member’s division personnel file will be maintained and filed at the member’s place of assignment. RU managers are responsible for ensuring that the files are maintained and continually updated in compliance with purge criteria. The files are only accessible to those persons designated by the RU manager. The files will be maintained for members of all ranks. In the event of a transfer, the member’s file will be forwarded to the manager of the unit of new assignment.

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217.00  FLAG AND NATIONAL ANTHEM
Index:  Title; Anthem, National; Courtesy to the Flag; National Anthem
Refer:  Federal Flag Rules and Regulations

POLICY (217.00)
Directive Specific Definitions
Colors: A generic term applied to the flag of the United States of America.
PROCEDURES (217.00)
The flag of the United States of America shall be displayed on a stationary pole at all police facilities from sunrise to sunset, weather permitting. The flag of the United States will be displayed at half-staff only by order of the President of the United States and/or the Governor of Oregon. On the approach of the colors, members in uniform will face the flag at attention and render a military salute. The salute should be made when the colors approach within six paces, and until they have passed six paces beyond. Members will render the same courtesy in civilian dress, except with the right hand over the heart.

When the National Anthem is played, uniformed members will stand at attention facing the music and render a hand salute. The salute will be held from the first note of music to the conclusion of the last note. When in civilian dress, members will stand at attention with their right hand over their heart.

218.00 HONOR GUARD/HIGHLAND GUARD
Index: Title; Honor Guard/Highland Guard deployment policy; events
Refer: DIR 210.30  Timekeeping and Overtime
       DIR 240.10  Line of Duty Death
       PPA Labor contract Article 43, Overtime

POLICY (218.00)
The Bureau will maintain an Honor Guard and Highland Guard as a unit to provide ceremonial duties at police funerals, parades, and events requiring official participation of a ceremonial nature.

PROCEDURE (218.00)
The Honor Guard and Highland Guard participate on request in police and fire related events such as funerals, memorials and ceremonies. The Honor Guard and Highland Guard participate in other community-oriented events such as parades that are positive police/community contacts. The two Guards may perform separately or in combination if appropriate.

Non-police or community related events, such as religious or private organization requests, are generally discouraged. The exceptions are made upon the approval of the Operations Branch chief and/or Chief of Police. In those events, the requesting organization may be charged for costs relating to that event.

Honor Guard/Highland Guard Commander Responsibilities
a. The Honor Guard/Highland Guard Commander will make appropriate notifications as outlined in DIR 240.10.
   1. The Honor Guard/Highland Guard Commander will approve all requests for Honor Guard and/or Highland Guard participation. The
Honor Guard/Highland Guard Commander will be appointed by, and liaison with, the Operations Branch chief for approval of overtime, travel, or adjusted shift time.

a) Requests for the Highland Guard will be made through the Highland Guard command officer, to be designated by the Operations Branch chief.

b) Requests for the Honor Guard will be made through the Honor Guard command officer, to be designated by the Operations Branch chief.

c) Requests should include:
   1) Date, time.
   2) Type of request (funeral, sister city event, parade etc.).
   3) Payroll status (overtime, straight time, adjusted shift).
   4) Names of officers and RU.

d) The Honor Guard/Highland Guard Commander will forward notification of approved requests to the officers, his/her RU managers, Fiscal, and the appropriate Guard command officers.

2. The Honor Guard/Highland Guard Commander may authorize unit participation in events within a one-day (10 hour shift) travel time by motor vehicle to adjoining states.

3. All Honor Guard/Highland Guard participation exceeding the one-day travel time must have the approval of the Operations Branch chief.

4. No overtime will be authorized for travel outside this one-day travel area. Officers will, however, be relieved from duty for the equivalent time necessary to travel to and from the event site and must have the approval of the Operations Branch chief.

5. The Honor Guard/Highland Guard Commander may approve requests for participation in official Bureau functions or requests from outside the Bureau of an official nature. The Operations Branch chief must approve requests for participation of the Honor Guard or Highland Guard in non-police/fire events.

6. The supervisor for the Honor Guard and /or Highland Guard will collect all overtime slips immediately upon completion of event. The overtime slips will be reviewed and forwarded to the Honor Guard/Highland Guard Commander for approval and forwarded to Fiscal Services.

7. The Honor Guard/Highland Guard Commander or designee will maintain a record of Honor Guard/Highland Guard events and track overtime and shift adjustments. The Honor Guard/Highland Guard Commander or designee will prepare a quarterly report of those events for the Chief of Police’s Office liaison for approval and forwarding to the Operations Branch chief.
Selection Criteria (218.00)

a. A position announcement will be posted through Personnel Division as open positions occur.

b. Eligible candidates will be interviewed and evaluated by the Honor Guard/Highland Guard Commander and a minimum of two Guard supervisors.

c. A written recommendation will be sent to the Chief of Police’s Office liaison and forwarded to the Operations Branch chief for approval.

Training (218.00)

a. Overtime is not authorized for Honor Guard or Highland Guard training.

b. The Honor Guard and Highland Guard will maintain a high degree of proficiency and professionalism. The unit will train on a regular basis. The Honor Guard/Highland Guard Commander will determine the training schedule.

220.10 PERSONNEL ROSTERS

Index: Title; Roster; Personnel Security, Personnel

PROCEDURE (220.10)

Personnel rosters will be made available through the Bureau Intranet. If a copy of the Personnel roster is printed, it shall be secured by lock and key during those times when an RU is not operational. The proper security of all personnel rosters will be the subject of administrative inspections. Personnel Division will notify all RUs when a new roster is available.

Personal information about members will only be released to authorized persons on a need-to-know basis and then only if such person has been properly authorized. Obsolete rosters, call-up rosters and name and address rosters must be shredded by the receiving RU.

220.11 CONFIDENTIAL INFORMATION

Index: Title

POLICY (220.11)

Police radio channels will not be used to relay any personal messages or information regarding police members or their information sources. Police radio channels may be used to direct an on-duty member to call his office or a designated inter-agency extension to receive the message. Personal messages are communications from any source to any member relating to matters other than calls for police
service.

Off-duty members will not be contacted with routine messages. However, the caller’s name, phone number and message, if any, will be taken and left for the member’s return to duty. In emergency situations the on-duty police supervisor will be responsible for seeing that, if possible, the message is relayed to the member as soon as possible.

Personal information about members and/or informants will only be released to authorized persons on a need-to-know basis. Then, only if such person has been properly identified to the satisfaction of the immediate on-duty supervisor.

220.40 LAWSUITS AND CLAIMS
Index: Title

PROCEDURE (220.40)
Civil Summons and Civil Complaints
Member Responsibilities:

a. Treat civil summons and civil complaints as official notice or documentation that a lawsuit has been filed and a response is mandated through the court by the City Attorney’s Office within a specified period of time (usually 10 or 30 days). These notices are not served via PPDS.

b. Civil process servers are required to affect personal service of civil summons and complaints and only the person named to be served can accept service. Exception: The City’s Attorney representing the member, and only with the authorization of that member, may accept service.

c. Members will not be called in from their tour of duty to receive service of civil summons and complaints. However, process servers will not be denied access to members.

d. The member’s shift times, days off and vacation dates will be provided to the server. The server will be invited to be present at the beginning or end of the member’s shift, at which time the member will accept service.

e. Members who receive work related civil summons and complaints will:

1. Within 24 hours of receipt of a civil summons and complaint, attach a memorandum listing date, time, manner of service (postal delivery, served personally, found in precinct mailbox, etc.), member’s Bureau I.D. number and forward the original document to the City Attorney’s Office after making copies to be forwarded to his/her supervisor, Police Liability management (PLM) and to City Risk Management (Risk Management). The member should retain a copy for his/her personal file. If a member is named and served in a lawsuit and does not notify the City Attorney’s Office of the service, the City Attorney’s Office will not be alerted to file an answer on the member’s
behalf. If no answer is filed, the plaintiff may obtain a default judgment against the member.

2. Cooperate fully with the City Attorney, PLM, and Risk Management in defense against the lawsuit.

3. Request the City Attorney notify the Court Coordinator of all the dates and times of required appearances.

Members (220.40)

Members filing claims against the City for any loss, damage or destruction of personal property will contact PLM. PLM will forward a claim form to the requesting member. When completed, the form, along with a copy of the police report or supervisor’s memo describing the incident and a copy of the estimate or bill for repair or replacement, will be sent to Risk. The member will forward a copy of all documents to Police Liability management. Upon receipt of the reports, Risk Management will either handle the claim or forward it to the City Claims Committee. When filing claims, members may use their respective unit or division address.

Members of the Public (220.40)

All persons have the right to file a claim with the City. If a person wants to file a claim, members will refer the person to PLM or Risk Management. Members will not:

a. Inform the person that the City will compensate him/her for his/her injury or loss.

b. Discuss the facts of any potential liability.

c. Admit fault.

When a member becomes aware of any potential for a claim or lawsuit, he/she will initiate a report or memorandum and include the details of the incident, the names of all involved officers and other witnesses, and forward a copy to PLM.

230.00 SAFETY COMMITTEES

Index: Title; Injury/Illness Review;
Refer: OAR 437-001-0765 Rules for Workplace Safety Committees
       DIR 410.00 Injuries/Occupational Illness/Disability/LOS
       Applicable Bargaining Agreements
       Safety Concern/Complaint Form (OAPS)

POLICY (230.00)

The health, safety and well-being of all members is ensured by:

a. A firm commitment to providing a safe working environment for members.

b. The analysis of injuries and losses that do occur, and the establishment
of preventative measures to control reoccurrence.

c. The communication and discussion of hazards and/or situations that could result in injury or illness, and create a financial loss exposure.

d. The evaluations of recommendations for safer employment situations.

**PROCEDURE (230.00)**

**Representation**

Sworn Safety Committee (SSC): The SSC will be comprised of one representative from each precinct; one representative each from Traffic, Detectives, Forensic Evidence Division (Forensics) and Drugs and Vice; a PPCOA representative and the remaining five representatives will be selected by the appropriate RU managers. This committee will be chaired by a representative chosen by the committee.

Non-sworn Safety Committee (NSC): The NSC will be comprised of one representative from each of the following units: Records, Detectives, Property Evidence Control, precincts-at-large, Forensics, Information Technology Division, Fiscal Services, Office of Accountability and Professional Standards (OAPS), and the Chief of Police’s Office. The DCTU will select four of the representatives and the remaining four representatives will be selected by the appropriate RU managers. This committee will be chaired by a representative chosen by the committee.

**Functioning (230.00)**

The committees will meet on a monthly basis and conduct quarterly safety inspections of the various facilities. Any three members of a Safety Committee (SC) can call for a meeting of that SC at any time to address an immediate safety issue. Different units will be inspected each quarter. Quarterly inspections will replace the meeting for a given month unless the committees feel a need to meet as well. Each committee will designate a team to conduct the safety inspections. The results of the inspections and any subsequent recommendations will be reported in the monthly meeting minutes with a copy to the Chief of Police. Meetings and inspections will be on City time.

The minutes for all meetings will be distributed to each committee member for posting in their work area, with an informational copy of the minutes to all RU managers and the Branch chiefs.

Items for committee consideration can be given by an employee to the representative from their area, submitted on a Safety Concern/Complaint Form or can be brought individually before the committee.

Members of the committee will complete training in required OSHA safety committee functioning to stay in an active status of the committee. Members will be notified of training dates and locations in advance. Those members not completing training will be relieved of their committee duties until the requirement is met or they are replaced by a new representative. Training will be on City time.
Responsibilities (230.00)
a. Safety Committee Members.
   1. Regularly attend and participate in monthly meetings.
   2. Review safety issues and complaints referred by employees and/or committee members.
   3. Review safety issues and complaints from regulatory bodies (i.e., OSHA, BOLI).
   4. Review injuries that occur to members (Bureau injury reports will be supplied to the committee by OAPS).
   5. Review and publish statistical trends on losses occurring.
   6. Develop effective recommendations for corrective action to the appropriate RU manager or the Chief of Police.
   7. Keep members informed on the status of ongoing projects and recommendations.
b. Bureau Members.
   1. Abide by all safe guidelines established by the Bureau.
   2. Report, as soon as possible, all job related injuries, illnesses, near misses and hazards to supervisors.
   3. Report all unsafe conditions and work practices to supervisors and members of the safety committees.
   4. Participate in the process of improving workplace safety.
c. RU Managers/Supervisors.
   1. Provide support of the committees and their members.
   2. Provide leadership and direction.
   3. Ensure lines of communication are open and supportive.
   4. Maintain commitment to improving health and safety in the workplace.

Safety Concern/Complaint Process (230.00)
a. Notification: Any member reporting a safety concern/complaint should:
   1. Notify supervisor and safety committee of nature of their concern/complaint, using a Safety Concern/Complaint Form.
   2. Provide supervisor and committee with possible solutions to the concern/complaint.
   3. Safety complaints can be made anonymously, however, the committee cannot respond directly to an anonymous complainant.
b. Safety Committee Responsibilities:
   1. Receive and review every concern/complaint brought before them.
   2. Document and acknowledge receipt of concern/complaint.
   3. Investigate concern/complaint using interviews and photos when necessary.
   4. Inform the person filing the concern/complaint as to the status of in-
vestigation.
5. Respond to the member in writing the results of the investigation and any recommendations made to management.

c. Management, RUs’ Responsibilities:
1. Receive all safety concerns/complaints in a supportive manner; document receipt.
2. Ensure that member filing concern/complaint has notified the appropriate safety committee.
3. Cooperate with safety committee during investigation of concern/complaint.
4. Participate in providing solutions for corrective action.
5. Evaluate fiscal impact of recommendations requesting financial support.
6. Respond to written recommendations and inquiries from the safety committee within thirty (30) days of receipt.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (230.00)
RU managers will encourage members to identify safety issues and refer them to the appropriate Safety Committee. Upon receipt of such referrals, the Safety Committee will review, and make appropriate recommendations in a timely manner.

240.00 EMPLOYEE ASSISTANCE PROGRAM
Index: Title
Refer: DIR 612.00 Death Messages
DIR 1010.10 Deadly Physical Force

POLICY (240.00)
The Bureau is committed to providing comprehensive assistance programs for members through a system designed for ease of access and appropriate confidentiality. The Employee Assistance Program consists of a coordinator and staff who will manage programs including, but not limited to, the Volunteer Chaplains, Peer Support Team (PST), Traumatic Incident Response Team, Police Alcohol Recovery Team (PART), and the current contracted mental health provider. The EAP is available to all members and their families for counseling and assistance in time of need, and can be accessed by contacting the coordinator or individual program team members on the MHP toll free number.

PROCEDURES (240.00)
Directive Specific Definitions
Traumatic incidents: Situations faced by members, on or off duty.
A traumatic incident is defined as one or more of the following:
   a. Experiencing actual or threatened death.
   b. Threats to one’s own physical safety and well-being.
   c. Witnessing these events occurring to others.
   d. Any event that can cause intense fear, horror, helplessness, or cause them to experience unusually strong emotional reactions that have the potential to interfere with their ability to function either at the scene or later.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (240.00)
RU managers and supervisors are strongly encouraged to contact the EAP Coordinator at the earliest possible time in the event of a traumatic incident, or when they become aware that a member is experiencing personal stress or personal issues. This will ensure the opportunity for comprehensively dealing with members’ personal and professional well-being. The EAP coordinator’s 24-hour pager number is available by contacting BOEC in emergencies, and is also listed in the Problem Solving Resource Guide, Bureau phone directory, or his/her precinct desk.

240.10 LINE OF DUTY DEATH
Index: Title; Death, Line of Duty
Refer: DIR 218.00 Honor Guard/Highland Guard
       DIR 240.00 Employment Assistance Office
       DIR 612.10 Death Messages
       DIR 631.34 Critical Incident Notification
       DIR 1010.10 Deadly Physical Force

POLICY (240.10)
The Bureau will provide support and emotional care to immediate survivors of a member who is killed in the line-of-duty or who dies a natural or accidental death. The wishes of the family regarding funeral arrangements take priority over the desires of the Bureau.

PROCEDURE (240.10)
Directive Specific Definitions
Beneficiary: The person designated by the member as recipients of specific death benefits.
Death benefits: The financial payments made to the family to ensure financial stability following the loss of a loved one.
Family Liaison Officer: Preferably a member(s) who is close to the family and able to provide needed support without causing him/herself undue emotional stress.
Honor Guard and Highland Guard: Special units that provide assistance with
funeral functions such as ushers, guards for the body, rifle salutes, bagpipers and liaisons with other agencies’ Honor Guards and representatives.

Incident Supervisor: The Personnel Division manager (Personnel) or designee, who will oversee all line-of-duty death/natural death incidents and act as liaison with Chief of Police’s Office, the affected member’s RU manager and the Police Liaison Officer.

Line-of-duty death: Any action, felonious or accidental, which claims the life of a member who is performing work-related functions while on or off duty.

Notification team: At least two designees, appointed by the member’s RU manager, who will follow the notification procedure.

Police Liaison Officer (PLO): The Bureau’s Employee Assistance Program (EAP) Coordinator who will coordinate the events following the line-of-duty death, including acting as liaison between the Bureau and the family and coordinating all benefits to which the survivors are entitled. The Personnel Lieutenant and Sergeant, along with the Disability Benefits Coordinator will provide assistance and support to the PLO. The EAP office will coordinate the appropriate response from all EAP volunteer groups, including the Traumatic Incident Committee, Peer Support Team, Chaplains, Police Alcohol and Recovery Team.

Survivors: The immediate family members of the deceased member, including the spouse, domestic partner, children, parent, siblings, fiancé and/or significant others.

Notification (240.10)

a. It shall be the responsibility of the affected member’s RU manager to notify the next of kin of a member who has suffered severe injuries or who has died. The RU manager may personally make the notification or designate at least two members to make the notification.

b. The member’s RU manager should immediately notify the EAP Coordinator.

c. The Chief of Police will be notified immediately by the member’s RU manager.

d. Notification should always be made in person and with more than one member present, as long as the survivors are in the area. A team could include a chaplain or other appropriate designee. Notification may also include the need to transport the next of kin to the treating medical facility. Upon receiving word of severe injury or death of a member, do not wait. Immediately after notification, transport the next of kin to the treating medical facility.

e. If an immediate survivor or a family member of the affected Bureau member has a known medical problem such as a heart condition, high blood pressure, etc., medical personnel should be available at the time of death notification.
f. Take special care to avoid making a death notification on the doorstep. Once inside the home, find out who is present in the home in order to gather everyone together, to prevent some family members, especially children, from overhearing the news from another room inside the home.

g. If specifics of the incident are known, relay as much of the information as you have. Be sure to use the member’s name during the notification. If the member has died, state that the member has died or is dead. Do not give a false hope by using softer words such as gone away or passed away.

h. If the family insists on driving themselves to the treating medical facility, a Bureau member should accompany them.

i. If young children are in the home and childcare is required, the Notification Team shall assist in arranging for childcare. This may involve calling a co-worker, spouse(s), Peer Support, transportation for the children to the home of a friend or relative or similar arrangement.

j. Prior to departing for the treating medical facility, the Notification Team should call ahead to notify the medical personnel and the Police Liaison Officer of the family’s impending arrival.

k. If possible, the parents of the deceased or severely injured member should also be afforded the courtesy of a personal notification, as well as family support from the Bureau.

l. If immediate survivors live outside the area, the member’s RU manager will ensure a personal notification by teletype or telephoning the appropriate jurisdiction authority with details of the incident so they may give the notification.

m. The name of the deceased or severely injured member(s) should never be released to the media until the next of kin is notified and the Chief of Police has granted permission for the release of the name(s). If the media discovers the name, they should be asked to respect the survivors and withhold the name pending notification of the next of kin.

**Assistance for Affected Members (240.10)**

a. In deadly force situations, involved members and witness members will be handled in accordance with DIR 1010.10.

b. In other cases where a member dies or is severely injured members directly involved (defined in DIR 1010.10) may be given altered duty status (as outlined in DIR 1010.10) at their RU manager’s discretion.

c. Members who are adversely affected but not directly involved may be given altered duty status (outlined in DIR 1010.10) at their RU manager’s discretion.

d. The member’s RU manager will ensure the names of all affected member(s) are given to the Chief of Police and EAP. EAP will ensure that each of the affected member(s) is contacted and provided any needed resources.
e. The EAP Coordinator will provide appropriate assistance for all PPB members who are emotionally affected by the serious injury/death of a bureau member. The EAP Coordinator may provide assistance if appropriate to outside agencies.

**Assistance at the Medical Facility (240.10)**

a. The PLO will ensure the family is greeted at the medical facility and given the updated condition of the member upon arrival.

b. The PLO will work with the treating medical facility staff to ensure an appropriate waiting area is readied for the family, the Chief of Police, and others as requested by the family. The PLO will also establish a separate waiting area for fellow Bureau members and friends. In addition, the PLO will need to establish an appropriate staging area for the media.

c. The EAP office will ensure support is organized for all family members and affected Bureau members as needed.

d. The PLO will ensure medical personnel relay pertinent information regarding a member’s condition to the family on a timely basis and prior to the information being released to others.

e. The PLO will ensure, to the degree possible, that all medical bills are directed to the appropriate persons in order to keep the family from receiving any of these bills at their house.

f. The Notification Team will remain with the family at the treating medical facility until the Family Liaison Officer(s) (FLO) replaces them. The responsible RU manager will temporarily designate the FLO in the event there is no member readily available to supply relief to the Notification Team, thereby providing continuous support for the family. Either the Notification Team or the FLO will arrange for transportation home for the family, whoever happens to be present when the family needs to return home. If the designated team is unable to stay, arrangements will be made through the PLO to find replacements before they leave the family.

**Support of Family during Funeral Planning (240.10)**

a. Unless initiated by the family, no discussion of funeral arrangements will occur until 24 hours have passed from the time of death.

b. The PLO will coordinate with the FLO and family to lend assistance to the funeral planning process.

c. The PLO will coordinate the funeral plans for the family with the Incident Supervisor and the available resources of the Bureau.

d. The Public Information Officer (PIO) and PLO will coordinate information for the media to assist the family and the Bureau.

e. The PLO will coordinate in advance with the appropriate member bargaining unit, if applicable, the EAP Coordinator’s Office and any other
resources regarding any assistance offered and/or needed by the Bureau or the family such as food, limousines, hotel rooms for out of town guests, etc.

f. The FLO will keep in contact with the PLO about any changing plans, needs or desires of the family.

g. The FLO will work with the member’s RU manager to ensure the family has contact on a daily basis for six to eight weeks, so long as such frequent contact is not contrary to the wishes of the family.

h. The FLO will work with EAP to ensure emotional support and food is provided to the family as needed.

Bureau’s Role in Funeral Planning (240.10)

a. The PLO, a representative from the Traffic Division, a representative from the appropriate member bargaining unit, if applicable, the PIO and a representative from the Honor Guard and Highland Guard, will meet as soon as possible after the family and their funeral director have met, to coordinate family and Bureau plans.

b. The Incident Supervisor will present the concerns, ideas and wishes of the Command Staff, including discussion of financial arrangements for a reception, with updates, as the reception is being planned.

c. An itinerary will be developed identifying the sites, initial traffic routes, and basic services as requested by the family.

d. Assignments for organization of activities will be made by the Incident Supervisor. A press release may be necessary at this time to give preliminary information on funeral plans.

e. Arrangements will attempt to be made and confirmed within 48 hours or sooner if necessary.

f. As soon as plans are finalized, the PIO’s office will be notified to begin producing a program. The PLO will provide the necessary information.

h. The Forensic Evidence Division (Forensics) or Personnel may be contacted for employee pictures they have on file of the deceased. The family should be asked for their approval of any photograph used.

i. The Incident Supervisor will call a final planning meeting with all affected parties to discuss the plans and any further concerns.

j. Final plans will be announced to the media through the PIO with the approval of the Chief of Police and the family.

Honor Guard Coordinator (240.10)

a. If appropriate, a teletype will be issued by the Honor Guard Coordinator to include:
   1. Name of the deceased.
   2. Date and time of death.
3. Circumstances surrounding death.
4. Funeral arrangements (whether the funeral is private or police service).
5. Uniform to be worn.
7. Contact person’s name and phone number/pager number for visiting departments.

b. Arrange for the casket watch at the funeral home.
c. Assist the family in obtaining any clothing/uniform items needed for dressing the deceased member.
d. Coordinate visiting agencies.
e. Coordinate the ushering duties.
f. Obtain a flag for presentation if appropriate.
g. Coordinate with other agencies’ Honor Guards.
h. Work closely with the Incident Supervisor to provide any further assistance as directed.

**Police Liaison Officer’s Role (240.10)**

a. Ensure the families are supported and cared for by the Bureau and that the families’ wishes are honored.
b. Coordinate with the Incident Supervisor and the PIO to avoid conflict with family wishes.
c. Be responsible for gathering information on all benefits/funeral payments available to the family.
d. Be responsible for filling out the appropriate paper work for benefits and will follow through to ensure the family is receiving benefits to which they are entitled.
e. Set up and administer any special trust funds.
f. Determine what the health benefits will be and if payments are necessary to continue the coverage for the family.
g. Continue to contact and be a resource for the family to assist with related problems as needed.
h. Communicate with the community, the family and the Bureau in the support of the family regarding any honors or special requests.
i. Assist the Family Liaison Officer during the investigation and any court-related proceedings.
j. Provide information to professional organizations such as COPS, Fraternal Order of Police, etc.
k. Provide on-going updates to the appropriate bargaining units through the Incident Supervisor.
260.00  REWARDS OR FEES

Index:  Title

PROCEDURE (260.00)

Members receiving rewards, monetary rewards or donations, not intended for a trust fund, have the option of contributing the proceeds to the Sunshine Division or the City’s Police Health and Welfare Fund (PHWF).

a. Rewards and Donations, Payment of:
   1. Checks for rewards or donations received by members will be endorsed by the member with the notation “pay to the order of” (name of charity) entered on the back of the check. The check will then be forwarded to Fiscal Services (Fiscal).
   2. Cash contributions will be transmitted in person to Fiscal.
   3. Upon receipt of the donation, Fiscal will do one of the following:
      a) Forward the check/cash and Donation Transmittal Form to the Sunshine Division.
      b) Forward the check/cash to the City Treasurer (fund trustee) and the Donation Transmittal Form to the Health and Welfare Fund Committee.

b. City of Portland’s PHWF:
   1. A fund created by City Ordinance No. 143063 to receive funds donated to the Bureau.
   2. A committee consisting of the Chief of Police or designee, Fiscal manager or designee, and one other Bureau representative will determine if requests for funds from inter-bureau sources are consistent with the intent of the fund and recommend to the Commissioner-in-Charge approval or disapproval of the request.

c. Charities have the responsibility, upon receiving a contribution, or notice of contribution, to issue a receipt and forward it directly to the contributing member via return City mail.

d. Military Rewards and related forms, received by the Bureau, will be forwarded to Fiscal. These will include:
   1. Voucher number.
   2. Date received.
   3. Arresting member’s name.
   4. Arrestee’s name.
   5. Date forms returned to the military.
   6. Charity receiving the money.

Forms will be sent to the arresting member’s RU manager with instructions for completion. On completion, the forms will be returned to Fiscal for processing and return to the military.
260.10  TRUST ACCOUNTS

PROCEDURE (260.10)

Members receiving donations for a specific police program will submit the donation with an inter-office memo, through channels, to Fiscal Services (Fiscal). Checks, payable to individual members, will be endorsed by the member with the notation, “Pay to the order of the City of Portland”, entered on the back of the check. Fiscal will forward the donation to the City Treasurer for credit to the appropriate trust account.

If the donation is for a new program, Fiscal will forward a memorandum to the City Treasurer, requesting that a trust account for the new program be established. To initiate a new trust, Fiscal will need the following information: who will be the legal custodian of the fund, division, name, phone number, address and any limitations on the use of the fund. Fiscal will forward the donation to the City Treasurer to establish the account.

Status of a trust account will be available upon request of the RU manager or designee. A memo to request disbursement of funds should be forwarded to Fiscal with supporting documentation. The memo should be signed by the RU manager or his/her designee.

The Chief of Police, the appropriate Branch chief and the RU manager will determine if requests for monies from a fund are consistent with the intent of the Fund. The Fiscal manager will serve as an ex-officio member of the committee.

A letter addressed to the City Treasurer requesting disbursement of funds will be prepared by Fiscal and signed by the Chief of Police and/or the responsible Branch chief.

Fiscal will maintain a record of receipts and disbursements for each account. A copy of the trust account status will be sent to the RU manager upon request.

270.00  ORDINANCE AND RESOLUTION

PROCEDURE (270.00)

An ordinance is a formal document by which the City Council is required by the City Charter to conduct its legislative, quasi-judicial and most administrative business. An ordinance carries the force of law. A resolution declares the intent of the Council but does not carry the weight of law. A Report is a formal communication to the Council from a Commissioner, select committee, or a City office or bureau.

All requests and transactions, which require approval of the City Council, will be developed and submitted through an ordinance or resolution.
There are two types of ordinances: Emergency and Non-Emergency. The difference is the time required for it to take effect and the number of votes for it to pass. Emergency ordinances take effect immediately and require a minimum of four votes plus unanimous vote of all present. Sufficient facts or reasons constituting an emergency must be stated specifically. Non-emergency ordinances generally take effect 30 days after final passage, require three votes, and pass to a second reading at least five days after the first reading.

The Bureau may submit ordinances of a routine, non-controversial nature on the Consent Agenda. Items on the Consent Agenda are not read aloud or discussed, and require a minimum of four votes plus unanimous vote of all present. When discussion is expected or media coverage is desirable, an item should be placed on the Regular Agenda to be read and voted on individually.

All ordinance or resolution drafts will be reviewed by, and routed through, Fiscal Services (Fiscal). RU managers will be responsible for contacting Fiscal to verify when an ordinance or resolution is required. Grant applications and acceptances require separate ordinances and must be routed through the Grant Analyst in Fiscal. Fiscal will notify the initiator of the ordinance or resolution when the document is placed on a City Council agenda.

Advance planning and coordination with Fiscal is essential, allowing at least four weeks in order to file the ordinance within the proper time frame.

The RU manager or initiator of the ordinance, resolution or report to Council will submit the originals of the agreement or a copy of the report, name, telephone number of the project manager through channels to their Branch chief a minimum of three weeks prior to the scheduled filing date, Fiscal or a City Attorney will write an ordinance, resolution, or report and complete a cover letter to the City Council and submit the document to the Mayor to be filed for Council action. The Branch chief will insure the factual accuracy and the need for the ordinance or resolution request based upon the Bureau’s budget and priorities. Filing dates are typically the Thursday two weeks prior to the week the document will be considered by the City Council.

All items on the Council regular agenda will be discussed. Items on the consent agenda will not be discussed. However, an item can be pulled from the consent agenda and placed on the regular agenda by anyone prior to the vote on the consent agenda items. The RU manager or a representative must attend the City Council session in the event there are questions. Fiscal provides the Mayor with a list of names and telephone numbers of the RU managers or representatives by the Friday proceeding the week their item goes before Council.
280.00  FITNESS ROOM
Index:  Title; Exercise Rooms; Workout Rooms
Refer:  Inventory, Inspection and Maintenance Log (Facilities)
        Membership Agreement and Liability Release (Facilities)
        Portland Police Fitness Room Expenditure Form (Facilities)
        Portland Police Fitness Room General Rules (Facilities)

PROCEDURE (280.00)
Directive Specific Definitions
   Fitness Room: An unsupervised exercise room, designated by the Fitness Room
   Committee, for use of fitness equipment by fitness room membership only.
   Fitness room membership consists of:
   a. Reading and signing the membership Agreement and Liability Release
      Form.
   b. Keeping current with membership dues.
   c. Abide by fitness room rules and procedures.

   Portland Police Fitness Room Trust Account: The City of Portland Treasury trust
   account number M-02443 established by City Ordinance #168683.

General Rules (280.00)
   Membership is available and consists of keeping current with membership dues,
   reading and signing the membership Agreement and Release Form, abiding by this
   directive and any individual fitness room rules and procedures.
   Failure to abide by these membership requirements threatens future existence
   of fitness rooms within the Bureau. Therefore, persons who are not in compliance
   with this policy will not be permitted to use the fitness rooms and will be subject
   to disciplinary action.
   All fitness rooms are unsupervised. Members shall follow manufacturer’s instruc-
   tions and recommended use for equipment; copies of which shall be posted in each
   fitness room, when available. Members unsure how to use equipment shall consult
   with a Fitness Coordinator.
   Members observing a defect in a piece of equipment will tag the equipment
   before leaving the fitness room. Members shall not use equipment that is tagged
   for repair.
   The City is not responsible or liable for any damage arising from bodily injury
   or property damage or loss as a result of or growing out of participation in any
   activity or exercise associated with the fitness rooms.

Membership Priority (280.00)
   a. Members; sworn and non-sworn.
   b. Reserves.
   c. Cadets.
d. Retired members.
e. Non-Bureau members (FBI, District Attorney’s Office, etc.). These individuals must place a request for membership with a Fitness Room Coordinator. The Coordinator will submit the request to the Fitness Room Committee for consideration.

Guests are excluded from use of or entry into the fitness rooms. There are no exceptions.

**Membership Dues Account (280.00)**

a. Membership dues are payable in one of two ways:
   1. Monthly payroll deductions of $5.25.
   2. By check. Members who do not want payroll deduction must pay $15.75 per quarter, in advance, made payable to Portland Police Fitness Room Trustee Account (City of Portland Treasury trust account number M-02443 established by City Ordinance #168683), and forwarded to the City Treasurer.

Two other methods of revenue can occur for this account:
   a. City bureau transfers.
   b. Donations from organizations and individuals.

Expenditures from this fund shall be limited by use of Portland Police Fitness Room Expenditure Form for maintenance and repair or equipment, equipment replacement, and new fitness room equipment and materials.

**Fundraising and Individual Fitness Room Accounts (280.00)**

Members may do fundraising for a specific fitness room beyond their membership dues. These funds shall be separate from the Trust Account.

Each Fitness Room Coordinator may establish a double signature checking account for their fitness room. Monies from fundraising efforts and petty cash deposits will be placed in these accounts. Each Fitness Room Committee shall have responsibility for approval of all equipment, including equipment purchased from a fundraising account and donated equipment.

**Fitness Room Committee Responsibilities (280.00)**

a. Manage the fitness room program. The committee shall be comprised of each precinct’s Fitness Room Coordinator and one member appointed by the Chief of Police. The Chairperson will be the member appointed by the Chief of Police. Each committee member carries one vote.

b. Manage the fitness room budget, including:
   1. Planning for expenditures.
   2. Authorizing repairs, replacement costs, and new purchases.
   3. Presenting an annual budget to the Chief of Police’s office.

c. Assist in developing any rules or regulations necessary, beyond this direc-
tive, for an individual fitness room. Copies will be posted in the appropriate
fitness room and placed in the administrative file.
d. Ensure each fitness room receives a comprehensive monthly inspection.
e. Review all equipment, including equipment purchased by individual fit-
ness rooms and donated equipment, for safety. Special consideration shall
be given to weight bearing capability; therefore, homemade equipment
shall be scrutinized (i.e., manufacturers stress test and x-ray for welding
imperfections as part of quality control).
f. Per the Fitness Room Partnership Agreement, the Fitness Committee shall
perform quarterly inspections. The fitness Room Committee will assist
when requested.
g. The Committee’s Chairperson shall keep an administrative file and forward
copies of the following to Police Liability Management (PLM):
   1. Inspection logs.
   3. Portland Police Fitness Room Expenditure form.
   4. Individual fitness room rules.
   5. Monthly lists of persons who have signed the membership and re-
lease form and who are current with dues. This list will be forwarded
to all Fitness Room Coordinators and their RU Managers.

Fitness Room Coordinator Responsibilities (280.00)
a. Perform weekly inspections of fitness room and equipment.
b. Document a monthly inspection and maintenance consisting of:
   1. Updating the Inventory, Inspection and Maintenance Log for each
      piece/set of equipment and forward to the Chairperson.
   2. Ensuring a supply of defective equipment tags.
   3. When available, post manufacturer’s equipment instructions.
   4. Facilitating the repair or replacement of equipment.
   5. Ensuring that no unauthorized equipment has found its way into a
      fitness room; if found, tag for committee discussion.

RU Manager Responsibilities (280.00)
a. Appoint a Fitness Room Coordinator and facilitate time for them to per-
form their responsibilities.
b. Post the Portland Police Fitness Room General Rules and additional rules
   (if any) specific to the fitness room.
310.00  CONDUCT, PROFESSIONAL
Index:  Title; Standard of Conduct

POLICY (310.00)
Every member will constantly strive to attain the highest professional standard of conduct. Members, whether on duty or off duty, shall be governed by the reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit upon the Bureau or the City. Members will conduct themselves in the discharge of their duties and the relations with the public and other members in a diplomatic and professional manner.

Members shall not publicly criticize the Bureau, its policies, programs, actions or members, or perform any acts, or make any written or oral statements which would impair or diminish the orderly and effective operations, supervision, or discipline of the Bureau.

Members shall not spread rumors in regard to other members, citizens, future policies or activities, or make statements regarding public events, crimes, or catastrophes, unless they know of their own knowledge that their statements are true.

310.20  RETALIATION PROHIBITED
Index:  Title
Refer:  DIR 344.00  Prohibited Discrimination

POLICY (310.20)
In order to ensure all members have the opportunity to perform their duties to their fullest potential, it is essential that a supportive working environment be maintained. This environment must be free from fear of retaliation in any manner. Retaliation may occur for such reasons as, but not limited to:

a. Reporting misconduct.
b. Testifying against a fellow Bureau member.
c. Testifying at a criminal or civil trial.

In order to maintain community credibility it is essential that citizens do not fear retaliation by Bureau members. Retaliation may occur for such reasons as, but not limited to:

a. Demonstrating one’s constitutional rights.
b. Reporting misconduct.
c. Questioning the legality of a member’s actions.
d. Asking for a member’s name and/or Bureau I.D. number.

All members will refrain from any acts of retaliation. These acts include, but are not limited to:

a. Refusal to provide backup or support.
b. Creation of a hostile work environment.
c. Intimidation or ridicule.
d. Inappropriate jokes, remarks or gestures.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (310.20)
All members have a responsibility for promoting a retaliation-free work environment. In addition, supervisors have the responsibility of ensuring that all employees are informed of the seriousness of retaliation and its consequences.

310.40 COURTESY
Index: Title

POLICY (310.40)
Members shall, on all occasions in the performance of their duties or after identifying themselves as a Bureau member, be respectful, courteous and considerate toward their supervisors, their subordinates, all other members and the public. No member shall use profanity in the performance of his/her duties. It may be necessary to quote another person in reports or in testimony. Members may be required to use profanity to establish control in the exceptional circumstances where its use may help avoid the deployment of physical or deadly force. These circumstances are very limited and shall be documented in an appropriate report. No member shall use epithets or terms that tend to denigrate any particular gender, race, nationality, sexual orientation, ethnic or religious group, except when necessary to quote another person in reports or in testimony.

310.50 TRUTHFULNESS
Index: Title

POLICY (310.50)
The integrity of police service is based on truthfulness. No member shall knowingly or willfully depart from the truth in giving testimony, or in rendering a report, or in giving any statement about any action taken that relates to his/her own or any other member’s employment or position. Members will not make any false statements to justify a criminal or traffic charge, or seek to unlawfully influence the outcome of any investigation.

These requirements apply to any report concerning Bureau business, including, but not limited to, written reports, transmissions to the Bureau of Emergency Communications and members via radio, telephone, pager, e-mail or mobile data computer (MDC).

Members are obligated under this directive to respond fully and truthfully to questions about any action taken that relates to the member’s employment or position.
regardless of whether such information is requested during a formal investigation or during the daily course of business.

310.70 DISSEMINATION OF INFORMATION
Index: Title
Refer: DIR 614.50 Release of Information
       DIR 1226.00 Computer Technology

POLICY (310.70)
Members shall treat the official business of the Bureau as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established procedures. Members may remove or copy official records or reports from a police installation only in accordance with established procedures. Information obtained from the Portland Police Data System (PPDS), Reports Viewer (R-View), Law enforcement Data System (LEDS), National Crime Information Center (NCIC), Department of Motor Vehicles (DMV) or similar systems are not for public disclosure, nor should they be accessed for personal reasons. Questions concerning the legality and appropriateness of document/record dispersal should be referred to the Records Division manager and/or City Attorney liaison.

Members, in their official capacities, shall not betray the trust of any person who confides pertinent and confidential information to them. They shall not reveal information as to an informant’s identity or the information that was provided, unless otherwise directed by their RU manager, by a court of law or by state law.

Members shall not provide information directly or indirectly that may enable any person to avoid arrest, punishment, or to conceal or dispose of goods, money, or other valuable things stolen or otherwise unlawfully obtained.

311.00 DUTY REQUIRED
Index: Title; Cooperation and Aid Required; Reporting for Duty; Lunch and Coffee Breaks; Sleeping on Duty; Remaining on Post
Refer: Applicable labor agreements

POLICY (311.00)
Members on duty shall devote their time and energies to the duties and responsibilities of the rank, grade or position to which they are assigned.

Members shall refrain from conducting personal business while on duty, except when it is of an immediate and pressing nature, and the members have first obtained permission of their supervisor. If the business is of such duration that it causes the officer to be out of service or district, permission of a supervisor must be obtained.
Members shall work the hours assigned, unless excused by their RU manager or supervisor. Members assigned to a specific detail or post will remain on duty until relieved by proper authority.

**Reporting for Duty (311.00)**
Members shall report for duty, unless excused by their supervisor, at the time and place required by assignment or orders and will be fit to perform their duties. Members are at all times subject to an emergency recall to duty by their supervisor and will comply when notified to report for duty. Trial notices processed through the Court Coordinator’s office and any work related judicial subpoenas will constitute an order to report for duty under this section.

**Fictitious Illness or Injury Reports (311.00)**
Members shall not feign illness or injury, falsely report themselves ill or injured or otherwise deceive or attempt to deceive the Bureau as to the condition of their physical or mental health.

**Lunch and Coffee Breaks (311.00)**
Members shall not leave their assignments for excessive amounts of time for lunch or coffee breaks. Prior to any coffee or lunch break, uniform members will notify the Bureau of Emergency Communications (BOEC). Non-uniform members will follow their division policy. Supervisors will ensure that sufficient members are available to carry out the assigned duties of the precinct or division. Supervisors are also required to ensure that no more than two uniform patrol vehicles are at the same location while on a lunch or coffee break, unless that supervisor approved a greater number to be present.

**Sleeping on Duty (311.00)**
Members shall remain awake while on duty. If unable to do so, they shall so report to their supervisor, who will determine the proper course of action.

**Cooperation and Aid Required (311.00)**
Members shall coordinate their efforts with other members to ensure maximum achievement of purpose in obtaining the objectives of the Bureau. Members shall aid, assist and protect other members in time of peril.

### 311.30 OFF DUTY RESPONSIBILITY OF OFFICERS

**Index:** Title

**Refer:**
- ORS 133.235 Arrest by a Peace Officer
- DIR 316.00 Alcohol, Tobacco and Controlled Substances
- DIR 830.00 Arrest, Without Warrant
POLICY (311.30)
Under ORS 133.235 Arrest by a Peace Officer, sworn officers retain their authority 24 hours a day anywhere in Oregon. Members may encounter situations involving criminal conduct while off duty. Typically, members encountering these situations will be missing some or all of the equipment that they would have available when on duty. Members taking police action in these situations may risk injury to themselves and create confusion for bystanders and on duty officers arriving on the scene.
Members considering taking off duty police action should consider the following factors before making their final decision. The seriousness of the offense and the threat of injury, the availability of safety equipment, the availability of on duty assistance, the tactical situation and the immediacy of the need to prevent the crime or apprehend the suspect. Whenever possible, off duty members should defer to or obtain assistance from the appropriate law enforcement agency.
Members shall not make arrests, issue citations, or use their official position to gain an advantage in a personal conflict. Additionally, members are not required to perform their official duties when a personal relationship is involved. In said situations, members shall notify the agency responsible for the jurisdiction in which the event is occurring in order that members may be dispatched to investigate and take appropriate action.

Member Responsibilities (311.30)
Members taking official police action off duty (i.e., stopping or detaining a subject, making an arrest, showing police identification in an official capacity) shall document their activities in the appropriate Bureau report.

312.00 REQUESTS FOR ASSISTANCE
Index: Title
Refer: DIR 311.00 Duty Required
       DIR 330.00 Internal Affairs Complaint Investigation Process

POLICY (312.00)
When any person requests or asks for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be promptly acted upon, consistent with established procedures.
Members shall respond immediately to requests for police assistance that fall within the scope of the police mission. Requests that by their nature must be referred will be diplomatically directed to the proper authority. Emergency situations take precedence.
312.50 IDENTIFICATION

POLICY (312.50)

Members in a uniform will carry their issued identification (I.D.) card and display their badge and issued nametag on their outermost garment. Members are relieved of the displaying requirements when wearing the badge and/or nametag is prohibited by the uniform type.

Members wearing civilian attire will carry their badge and/or Bureau I.D. on their person at all times while on duty except when such impairs their safety or impairs an investigation. Members will wear their badge or Bureau I.D. so to be clearly visible in all City facilities.

When on duty or after identifying themselves as a Bureau member, all members will identify themselves by name and I.D. number upon request (I.D. numbers will be provided when citizens request a badge number). Upon demand, I.D. will be presented in writing or through the presentation of a Bureau issued business card. The only exceptions to the I.D. presentation rule are when the providing of this information impairs the performance of police duties or a supervisor has authorized the withholding of information.

Business or personal cards that refer to the Bureau shall be used by members only in connection with official business and will conform to the approved Bureau form.

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313.00 MISUSE OF OFFICIAL POSITION OR IDENTIFICATION

POLICY (313.00)

Members shall not use their official position, official identification (I.D.) cards, DPSST certification card or badges for personal or financial gain, obtaining privileges not otherwise available to them but for their official position (except as approved by the Chief of Police), or for avoiding consequences of illegal acts (i.e., if stopped off duty for a traffic violation). Members shall not lend to another person their I.D. cards, badge or name tags, nor use another person’s I.D. card or nametag. These items will not be photographed or reproduced without the approval of the Chief of Police. Pictures and videos for personal or family use are exempt.

Members shall not authorize the use of their names, photographs or official titles that identify them as Bureau members in connection with testimonials or advertisements of any commodity or commercial enterprise, without the written approval of the Chief of Police. The request should identify specifically what will be photographed or used and how it will be depicted. The purpose of the advertise-
ment should also be described.

Members, individually or representing police organizations, shall not issue to persons other than members, any card, or other device that purports to entitle the holder thereof to any special privilege or consideration.

Members shall not use their official position with the Bureau as a means of forcing, coercing or intimidating persons with whom they are involved in any civil matters to cause those persons to take or refrain from taking, any action in that matter.

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313.10 GRATUITIES, GIFTS, REWARDS, ETC.

Index: Title

Refer: City Code 3.20.080 Police Receiving Gifts and Employing Attorneys; Penalty for Violation

**POLICY (313.10)**

Except as expressly approved by the Chief of Police, members shall not solicit or accept any gratuity or any other thing of value where there is any connection, however remote, between such offer or solicitation and the member’s employment. Members shall neither directly nor indirectly solicit nor accept:

a. Any gratuities of merchandise, meals, beverages, or any other thing of value that might tend to influence their own or any other employee’s actions in any matter of police business or cast an adverse reflection on the Bureau or any of its members.

b. Any discounted services or merchandise whatsoever as a result of their Bureau employment, unless such discount is routinely offered to various groups or individuals and not limited to Bureau members.

c. Any gift or gratuity from other employees if such items would adversely affect the actions of the employees in connection with police operations.

d. Any reward for services rendered incident to their position or duty as a member of the Bureau.

e. Free admission to theatres and other places of amusement for themselves or others, except in the line of duty.

A member shall immediately report to the Chief of Police’s office, through channels, any offer or attempt to offer, any gift, fee, or other reimbursement that may be made in an effort to affect their official conduct.

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313.20 POLITICAL ACTIVITIES

Index: Title

**POLICY (313.20)**

Members shall not be required to solicit or make any contributions for political
purposes. Members, while on duty, or when acting in an official capacity, or using their official title, or while wearing the uniform or any part thereof, shall not solicit funds, signatures, or otherwise act to influence, interfere with, or affect the election of a candidate, ballot measure, or initiative.

Members will comply with applicable election laws and city code (outlined in periodic materials issued for posting by the City Attorney).

### 313.40 AID TO CRIMINALS
Index: Title; Transactions with Prisoners and Suspects

**POLICY (313.40)**

Members shall not take part in any promises or arrangements between wrongdoers and/or victims of a criminal act with intentions of permitting wrongdoers to escape arrest or punishment. This does not prohibit a member’s involvement in a situation where civil compromise is the intent of all parties.

No member shall knowingly buy or accept any article for personal disposition from a suspect or prisoner or from any associate of any suspect or prisoner.

### 313.50 ENDORSEMENTS, REFERRALS AND PUBLICITY
Index: Title; Publicity, Endorsements and Referrals
Refer: DIR 631.35 Press/Media

**POLICY (313.50)**

Members in an official capacity shall not recommend or suggest to the public, the employment or procurement of a particular product or private, professional, or commercial service. In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or request assistance, members shall proceed in accordance with established City procedure. In no case may a fee, gratuity, gift, services or reward be solicited, offered, or accepted from an attorney or other person.

Members shall not address legislative bodies or committees; appear on radio or television; prepare any article for publication; act as correspondents to a newspaper or a periodical; release or divulge investigative information, except as authorized by DIR 631.35, or any other matters of the Bureau while presenting themselves as representing the Bureau, or by identifying their association with the Bureau in such matters, without the approval of the Chief of Police.
313.70 GENERAL CONDUCT – ASSOCIATIONS
Index: Title; Associations; Conduct, General Standard of Conduct

POLICY (313.70)
Efficiency of operations, promotion of public safety, community policing goals and the Bureau’s ability to foster positive relationships with communities requires certain limitations on associations by individual members. Therefore, members shall avoid regular or continuous association or transactions with persons or groups who they know, or could be reasonably expected to know:
  a. Are currently the subject of a felony investigation.
  b. Are under criminal indictment.
  c. Were convicted of an offense considered to be a felony crime under Oregon law within the last five years.
  d. Are actively involved in an organized effort advocating criminal behavior against any individual, group or organization on the basis of race, ethnicity, religion, gender, age, national origin, marital status, sexual orientation or mental or physical disability.
  e. Involved in the illegal use, manufacture or sale of controlled substances.

Members who necessarily maintain regular or continuous association or transaction with individuals in the above listed categories in the performance of official duties or due to unavoidable family or social relationships are exempt from this prohibition with the approval of a supervisor providing the contact is not a threat to the security of Bureau records or investigations. A member who believes a supervisor unnecessarily denied approval may appeal the supervisor’s decision to the Chief of Police.

315.00 LAWS, RULES AND ORDERS
Index: Title; Obedience to Orders and Conduct Toward Supervisors; Orders; Conflicting or Illegal Orders; Conform to Laws; Knowledge of Laws; Obedience to Rules
Refer: City Administrative Rules

POLICY (315.00)
Members are required to conform to, and abide by, the rules and regulations of the Bureau, ordinances of the City and County, Federal laws and of the laws of all states. Members shall not commit any act, or fail to perform any act, that constitutes a violation of any of the rules, regulations, instruction, directives, or orders of the Bureau, whether stated in these directives or elsewhere.
Members shall acquire a thorough knowledge of State and Federal laws and City ordinances, as well as the elements that constitute criminal acts in violation of the
various sections thereof, and will acquaint themselves with the fundamental rules of evidence.

The responsibility for having knowledge and comprehension of the Manual of Policy and Procedure, all orders, bulletins, and regulations, pertinent reports and all memoranda issued by the Chief of Police or the member’s RU manager, rests with the member. After an absence from duty, members shall, upon returning to duty, read all orders issued by the Chief of Police or their RU manager and all applicable bulletins, regulations or memoranda issued during their absence. Members having any question or uncertainty will immediately seek clarification via the chain of command.

Members shall promptly obey any lawful written or verbal order of a supervisor. This will include orders relayed from a supervisor by a member of the same or lesser rank.

Members, who are given an otherwise proper order that is in conflict with a previous order, rule, regulation or directive, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances the responsibility for the conflict shall be upon the supervisor. Members shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued. Members shall not obey any order that would require them to commit any illegal act. If in doubt as to the legality of an order, members shall request the issuing supervisor to clarify the order or to confer with higher authority.

Members shall notify a supervisor when cited or arrested for a criminal offense, drug or alcohol-related charge, or if their driver’s license is suspended.

315.30 Unsatisfactory Performance

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Bureau. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave.

In addition to other indications of unsatisfactory performance, the following examples could be considered prima facie evidence of unsatisfactory performance:
performance deficiencies or a written record of infractions of rules, regulations, directives or orders of the Bureau.

316.00 ALCOHOL USE

Index: Title; On Duty Use of Alcoholic Beverages; Off Duty Use of Alcoholic Beverages; Alcoholic Beverages in Police Installations

Refer: DIR 240.00 Employee Assistance Office
       DIR 315.00 Laws, Rules and Orders
       DIR 316.30 Drug and Alcohol Testing
       DIR 335.00 Performance Review and Use of Force Review Boards
       DIR 341.00 Disciplinary Process
       DIR 660.10 Property and Evidence Procedures

POLICY (316.00)

Members who have the odor of alcoholic beverage about their person or on their breath, or are under the influence of an alcoholic beverage, shall not report for, or remain on duty, unless they have presented such information to a supervisor and have been ordered to report for, or continue duty.

In some surveillance and undercover situations, it may be necessary for members to consume alcoholic beverages. In such situations, and whenever possible, members will consume non-alcoholic beverages. In the event alcoholic beverages are consumed, members will not consume an amount which would impair to any degree their ability to perform their duty. Members who consume alcoholic beverages, regardless of the amount, shall inform their supervisor as soon as possible. Members having consumed alcoholic beverages shall not participate in any tactical operation.

Members consuming alcoholic beverages off duty shall limit the quantity consumed so as not to be impaired to any degree, or have the odor of alcoholic beverages on their breath, or about their person, upon reporting for duty. Members will not consume alcohol while in uniform.

All alcoholic beverages are prohibited from police facilities and/or vehicles, except alcoholic beverages which are held as evidence, or properly receipted prisoner’s property.
POLICY AND PROCEDURE

316.10 DRUG/CONTROLLED SUBSTANCE USE

Index: Title; Drugs in Police Installations; Possession and Use of Controlled Substances
Refer: DIR 240.00 Employee Assistance Office
       DIR 315.00 Laws, Rules and Orders
       DIR 316.30 Drug and Alcohol Testing
       DIR 335.00 Performance Review and Use of Force Review Boards
       DIR 341.00 Disciplinary Process
       DIR 660.10 Property and Evidence Procedures

POLICY (316.10)

The unlawful possession, usage, or condoning the usage of any nonprescription controlled substance, whether on or off-duty, is prohibited. While off-duty, members shall not be present where illegal substances are used or displayed. The excessive usage of lawfully prescribed narcotics, dangerous drugs or other controlled substances on or off-duty is prohibited. Members using prescribed controlled substances or controlled substances prescribed by a licensed physician shall notify a supervisor prior to reporting for duty if it will interfere with the safe and effective performance of duties or operation of City equipment or vehicles. If an employee is using a prescription or non-prescription medication which may interfere with the safe and effective performance of duties or operation of City equipment or vehicles, the member shall consult with their treating physician or pharmacist to determine if the medication will, in fact, have such an effect.

A member’s immediate supervisor shall be made aware of any undercover operation where a member may become exposed to the use of controlled substances. Through subordinate briefings, the supervisor will assist the member in avoiding these situations. Any operation that raises a question as to the ability of a member to avoid a situation of this nature, will be discussed with the relief commander and referred to the RU manager prior to the mission’s undertaking.

Members shall not store or bring into any police facility or vehicle any controlled substances, except controlled substances which are held as evidence, prisoner’s property (properly receipted) or are prescribed to the member for his/her personal use.

316.20 TOBACCO USE

Index: Title; Smoking and Tobacco Products
Refer: DIR 315.00 Laws, Rules and Orders
       DIR 335.00 Performance Review and Use of Force Review Boards
       DIR 341.00 Disciplinary Process
POLICY (316.20)

Members shall not use tobacco products while inside Bureau facilities, while within Bureau owned or leased vehicles, or while engaged in close contact with the public.

316.30 DRUG AND ALCOHOL TESTING

POLICY (316.30)

It is a critical component of service delivery of the Portland Police Bureau to maintain a drug-free workplace. Members who engage in the unauthorized use of drugs and alcohol risk their safety, the safety of their co-workers, and the safety, well-being, and trust of the citizens they serve. It is therefore imperative that members are held to a standard that assures the citizens and the other employees they are not under the influence of these substances while at the workplace. This policy will be for all Police Bureau members, both sworn and non-sworn.

Members will be tested for alcohol or drugs whenever there is reasonable suspicion to believe that the employee has engaged in prohibited alcohol use or prohibited drug use. Reasonable suspicion will be based on specific, concurrent, articulable observations made by a trained supervisor, concerning the appearance, behavior, speech or body odors of the member.

PROCEDURE (316.30)

Directive Specific Definitions

Alcohol test: A test using equipment for the analysis of the alcohol content of a test subject’s blood by the analysis of a breath or blood sample.

Drug: Includes controlled substances, illegal drugs or other substances that are
not controlled but may affect employee behavior, cause impairment, or compromise the safety of the subject, co-workers, or citizens.

Drug test: A test conducted whereby an authorized lab technician or designee obtains a sample of urine from a test subject for analysis of its content for drugs or alcohol.

Impairment: Diminished ability, loss or limitation of physical, mental or sensory function. A condition associated with any drug, including but not limited to alcohol.

Reasonable suspicion: Objective and articulable facts that would make a reasonable supervisor believe that a person was under the influence of alcohol or drugs, or that a person’s ability to perform the functions of their job was impaired, or their ability to do their job safely was compromised.

Safety sensitive function: Includes, but is not limited to, situations in which a member must exercise judgment about whether and when to use force, operate a motor vehicle, and/or have any contact with members of the community.

Prohibitions and General Information (316.30)

All members are prohibited from:

a. Having the odor of an alcoholic beverage on their person or breath while on duty, except as provided for in DIR 316.00.
b. Ingesting a prescribed medication or drug, except as provided for in DIR 316.10.
c. Possessing an illegal drug, except as provided for in DIR 316.10.
d. Possessing a drug illegally, except as provided for in DIR 316.10.
e. Using or possessing alcohol while on duty, except as provided for in DIR 316.00.
f. Refusing to submit to a reasonable suspicion alcohol or drug test, or a required return-to-work alcohol or drug test.
g. Reporting for duty or remaining on duty when using any drugs except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the member that the drug will not adversely affect the member’s ability to safely perform the member’s duties. Members are required to notify their supervisor of the use of prescribed controlled substances as set forth in DIR 316.10.

Member Responsibilities (316.30)

Members are responsible for being fully alert and not impaired by any drug and/or alcohol when they report for duty, or when subject to call back. Members who are not fully capable of performing their assigned duties shall inform a supervisor who will determine a course of action.

Members who reasonably suspect that another member may be using drugs or alcohol should bring their concerns to the attention of a supervisor immediately.
POLICY AND PROCEDURE

Supervisor Responsibilities (316.30)

a. If a supervisor has reasonable suspicion to believe that a member is impaired by drugs and/or alcohol, he/she may order a drug test and/or alcohol test in accordance with the requirements of this section. The testing of the member will occur as quickly as possible. The supervisor shall notify his/her RU manager immediately.

b. A memorandum and any other supporting documents which document the supervisor’s reasons for authorizing the test will be written and forwarded, through channels, to the appropriate Branch chief. The documentation of this incident shall include all of the facts that support the supervisor’s reasonable suspicion. The supervisor will document any statements made by the affected member about the usage and/or denial of usage of drugs or alcohol.

c. Supervisors will assure that all members reporting for duty are capable of performing their assigned duties

RU Manager Responsibilities (316.30)

The RU manager will notify the Personnel manager, or his/her designee, of the reasonable suspicion prior to the test. The Personnel manager, or his/her designee, will respond to assist with the testing process. The RU manager will also notify the appropriate Branch chief of the test. RU managers will forward a memorandum and any other supporting documents regarding the incident, through channels, to the appropriate Branch chief. The Branch chief will review the documentation, notify the Chief of Police of the incident and make a recommendation regarding the incident to the Chief of Police.

Services Branch Chief Responsibilities (316.30)

The Services Branch chief is responsible for the administration of the Bureau’s drug and alcohol testing program. The Services Branch chief may designate duties, under this policy, to either the Personnel manager or the Personnel lieutenant, if needed.

The Services Branch chief, or his/her designee, will:

a. Provide the Chief of Police with a yearly audit of the testing program, to include the following information:
   1. The number of tests administered under the program.
   2. The number of tests with a positive result.
   3. An accounting of the costs of the program.
   4. Any trends identified.
   5. A summary of disciplinary actions as a result of the program.

b. Ensure all records, under this program, are maintained in a secure and locked file cabinet dedicated to drug and/or alcohol testing records. This cabinet will be located in the Personnel manager’s office.
c. Notify the RU manager of members within his/her division who test positive under this program.
d. Notify the Chief of Police of any positive test results.
e. Be available, when needed, to take any appropriate action by order of the Chief of Police regarding members who have received a positive test result.
f. Complete the appropriate reports regarding the results of all testing under this program.

**Alcohol Threshold (316.30)**
Members, who have .02 percent or more by weight of alcohol in the blood as shown by chemical analysis of the breath or blood, will be removed from any safety sensitive function and be considered to have tested positive under this policy.

**Drug/Controlled Substances (316.30)**
The substances that will be tested for include; alcohol, cannabinoids, cocaine, opiates, amphetamines, barbiturates and benzodiazepines.

**Testing Procedure (316.30)**
The presence of drugs and/or alcohol in a member’s system is perishable. Therefore, any testing will be conducted as soon as possible. These tests will be conducted by a qualified technician at an approved lab. The lab administering the test will release the results of the test to the Personnel Division (Personnel) manager or his/her designee.

A member who refuses to submit to a drug test or alcohol test is subject to discipline up to and including dismissal. The supervisor will make contact with the Personnel manager or designee who will take appropriate action.

Questions regarding specific testing procedures will be addressed through the Personnel manager.

**Procedure Following Test Procedure of Member (316.30)**
Test results will be considered medical information and be confidential.

If the result of the urinalysis is positive, or the alcohol test threshold is met, the affected member will be placed on administrative leave, pending a review. The test results will only be released to the Personnel manager or his/her designee who will take appropriate action.

If the test result is negative, the Personnel manager, or designee, will inform the affected member’s RU manager that he/she may return to work.

If the positive result is generated by a prescribed medication which is verified by the Personnel manager, the member will not be placed on administrative leave. The Personnel manager will verify that the member has been prescribed the medication recently for which the member tested positive. The member is responsible
to provide the required prescription verification to the Personnel captain without delay.

**Workplace Searches (316.30)**

Areas of the workplace can be searched as a result of an investigation into the allegations of the prohibitions covered by this policy. The areas of the workplace that can be searched are areas and property in which the City maintains joint control with the employee, or full control including any City vehicle. Examples of such areas are, but not limited to, desk, locker, computer files, storage areas, etc. These searches will be conducted according to City of Portland Human Resources Administrative Rule 4.09.

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**317.40 AUTHORIZED USE OF BUREAU EQUIPMENT**

*Index: Title; Unauthorized Use, Transfer or Taking of Property*

**POLICY (317.40)**

Members shall use Bureau equipment and property only for its intended purpose, in accordance with procedures, and shall not negligently or purposely abuse, damage, destroy or lose Bureau equipment. Bureau equipment issued to members shall be maintained in proper order.

Members shall not use, remove or borrow property from the Bureau for other than official police business. Numbered equipment and furnishings will not be transferred between units without the express knowledge and permission of the affected RU managers. The unit transferring the property will complete a receipt showing the kind of property, City property number and the unit and person receiving the property. A copy of this receipt will be forwarded to the division responsible for maintaining Bureau inventory records.

Members will operate Bureau vehicles in a manner that will, with regard to weather, equipment and tactical considerations, result in safe and lawful operation. Members who have accidents attributable to their negligent operation of Bureau vehicles may be subject to discipline. Negligent operation is defined as the failure to use such care as a reasonable prudent and careful person would use under similar circumstances, the doing of some act which a person of ordinary prudence would not have done under similar circumstances, or failing to do what a reasonably prudent person would have done under similar circumstances.
POLICY AND PROCEDURE

330.00 INTERNAL AFFAIRS, COMPLAINT INVESTIGATION PROCESS

Index:  Title; Citizen Complaints; Complaint, Internal Affairs; Investigation
Refer: ORS 810.410 Arrest and Citation
       City Code PSF-5.19 3b.(5)
       City Code PSF-5.20
       DIR 341.00 Disciplinary Process
       DIR 342.00 Performance Deficiencies
       DIR 343.00 Criminal Investigations of Police Bureau Employees
       DIR 344.00 Prohibited Discrimination
       Complaint Log form (IAD)
       Appropriate Bargaining Agreements

POLICY (330.00)
The Portland Police Bureau and the Independent Police Review Division (IPR) will work in partnership to address complaints of misconduct against members of the Portland Police Bureau. Jointly, the Bureau and IPR will ensure that:
   a. Complaints against Bureau members are investigated with the highest standards of accountability, impartiality, and professionalism.
   b. Behaviors or trends that erode community trust and confidence are identified and addressed.
   c. Individual and organizational accountability for police conduct is promoted.
   d. Policy and training issues that will strengthen our police and community relationship and quality of service are identified.

PROCEDURE (330.00)
Some of the procedures in this directive may not apply to non-permanent and/or probationary members who may be subject only to applicable provisions in the appropriate bargaining agreement, city code, or administrative rules.

Directive Specific Definitions (330.00)
Declination: IAD may decline to investigate some or all of the allegations in a complaint as subsequently outlined in this directive. IAD may refer the information in a declined complaint to another Bureau official (e.g., Chief of Police Office, IAD manager or precinct commander) or other appropriate agency for whatever policy, personnel, training, or other actions the Bureau or IPR deems appropriate.
IAD Investigation: A complete investigation conducted by, or at the direction of, the Internal Affairs Division that is submitted to the member’s RU manager for findings.
Mediation: A voluntary non-disciplinary, confidential process where a neutral professionally trained mediator helps citizens and officers speak directly with each
other in an effort to resolve complaints.

Service Complaint: A formal non-disciplinary process where a supervisor evaluates and debriefs a complaint that alleges a minor rule violation or raises a quality of service issue.

Role of the Independent Police Review Division (IPR) (330.00)

IPR is responsible for receiving and numbering citizen complaints regarding allegations of misconduct against members of the Bureau, monitoring Internal Affairs Division (IAD) investigations of citizen complaints, coordinating appeals of Bureau findings of citizen complaints, and recommending changes in police practice and policy. IPR may conduct its own investigation into allegations of police misconduct at the discretion of the IPR Director.

Receiving Complaints and the Intake Process (330.00)

Citizens may contact IPR directly to initiate complaints against Bureau members. Members receiving citizen complaints should attempt to resolve complaints about minor rule violations or quality of service at the time they are made; otherwise the complainant will be referred to IPR. If the citizen requests that the member receive the complaint instead of IPR, members shall accept and document the information from any person, including other members, juveniles, third parties, and anonymous sources. The member will forward the information, through channels, to IAD (to be forwarded to IPR). If it is impractical for the member to accept complaint information when requested, members shall refer the citizen to a supervisor.

Members, who observe misconduct, will document and transmit the complaint to IAD through their RU manager. The complaint will be evaluated as an internal Bureau-initiated complaint. Members may communicate directly with IAD investigators regarding alleged misconduct for which they have knowledge.

Once a complaint is received by IAD, the authority and responsibility for processing, investigating, or referring the complaint is delegated by the Chief of Police to the IAD manager. When allegations of misconduct require immediate attention, supervisors will initiate the necessary investigation and notify the Branch chief through the chain of command.

Documentation (330.00)

The following information, if available, will be included in the documentation of a complaint:

a. The complainants’ and witnesses’ names, addresses, telephone numbers, and dates of birth.

b. Date, time, and place of alleged misconduct.

c. Identification of the member(s) involved.

d. Nature of the complaint.

e. Any action taken in an attempt to resolve the complaint.
Complaint Resolution and Assignment (330.00)

Internal Affairs complaints will be handled through one of the following means:

- IAD Investigation.
- Service Complaint.
- Mediation.
- Declination.

The IAD manager shall assign each complaint where it will receive the most effective resolution and treatment. The IAD manager will keep IPR informed of the disposition all allegations in each complaint. If IPR disagrees with a disposition, IPR will notify the IAD manager. The IPR director and the IAD manager will confer as to whether an independent IPR investigation should be conducted. If IPR does not promptly notify IAD of a disagreement, the IAD manager’s decision will be considered final. The IAD manager shall consider the following criteria in determining how a complaint will be handled:

- If there could be a violation of criminal law.
- The seriousness of the alleged misconduct.
- Where the accused member is currently assigned.
- If there could be a conflict of interest.
- If there is a pattern of violations.
- Input provided by the member’s RU commander.
- The ability of the RU to conduct an investigation.

Generally, IAD investigators will conduct IAD investigations. However, the IAD manager will consider that the primary responsibility for member conduct, maintenance of Bureau standards, and compliance with policies and procedures lies with the member’s RU manager and direct supervisor. The IAD manager, when appropriate, may assign complaints to be investigated or resolved at the unit or division level. If IAD assigns a complaint to be investigated at the RU level, the investigator will follow investigative processes outlined in this directive.

In some cases, IPR may choose to conduct its own investigation or participate in the IAD investigation. IPR will be notified of all findings for citizen complaints and will have primary responsibility to communicate with the citizens. IPR will notify the citizens and IAD will notify members of the outcomes of complaints.

IAD is responsible for the review and maintenance of all Internal Affairs records. Police Liability Management may review closed IAD cases for compliance with policy, rules, and procedures related to the review of claims against the Bureau.

IAD Investigations (330.00)

- Member Responsibilities:
  1. Members will cooperate fully and be truthful in giving statements about events under investigation. No member shall conceal information, impede, or interfere with the reporting or investigation of
any complaint. Members who become aware of the investigation of an incident about which they have knowledge shall contact the investigator(s) with this information.

b. Investigator Responsibilities:
   When assigned an IAD investigation the investigator will:
   1. Maintain the integrity of the case file and the confidentiality of the investigation.
   2. Conduct a complete, thorough, and objective investigation following current IAD procedures for conducting investigations.
   3. Complete the investigation and return an investigative summary to IAD within 10 weeks of the date the complaint was assigned.
   4. If the investigation is not completed within the scheduled time, the investigator should document (in the case file) the reason for the delay. The investigator will contact the complainant by letter and advise them of the delay. If a member has been interviewed, that member must also be contacted and advised of the delay. The complainant and member should be contacted every six weeks and that contact will be documented in the case file.
   5. Audio record all interviews of members and, if possible, all non-Bureau complainants or witnesses. A separate recording is required for each interview conducted. Each recording will be labeled with the IAD case number, the name of the person interviewed, and the date. If an interview is not recorded, the investigator will document the circumstances that precluded the recording in the interview narrative report.
   6. Advise all involved members of their rights as prescribed by the appropriate bargaining agreement.
   7. Write an individual narrative report or provide a transcription for each person interviewed.
   8. Write an Investigative Summary Report, which outlines the overall results of the investigation. If appropriate, any conclusions regarding the reliability of witnesses, and the importance and relevance of facts involved in the alleged misconduct will be included in the notes section of the report. Investigators will not recommend a finding.
   9. Return the Investigator Summary Report to the IAD manager for review and approval.

c. IAD Manager Responsibilities:
The IAD manager will ensure that the assignment, investigation, documentation and record maintenance of complaints received are done in accordance with this directive. The IAD manager will:
   1. Review all citizens complaints received from IPR and determine how the complaints will be handled.
2. During the course of an investigation of a complaint, the IAD manager may determine that there are additional allegations regarding member conduct that need to be included in the investigation.

3. Review all investigations to ensure accuracy and completeness, and to ensure that contractual, directive, and city code requirements have been met for citizens and members.

4. Forward the Investigator Summary Report to IPR for review and comment. Consult with IPR about any recommendations for additional investigation or other quality issues.

5. Forward the completed IAD investigation to the accused member’s RU manager who is responsible for case review and finding(s).

6. Ensure the accused member’s RU manager has recommended a finding (based on a preponderance of evidence) for each allegation in the complaint. The finding(s) must cite the appropriate section of the Manual of Policy and Procedure. If the recommended finding is not supported by a preponderance of the evidence, the IAD manager may controvert the finding.

7. Within two weeks of the return of a completed case, dispose of the case as follows:
   a) If the case involves a finding of other than sustained or controverted, close the case and provide a letter of disposition for the citizen and accused member. Forward the citizen’s completed letter to the IPR director who will forward the letter to the citizen. IAD will notify the member(s) (through channels).
   b) If the case involves a controverted or sustained finding, forward the completed case and findings to the Review Board Coordinator for consideration by the Use of Force Review Board or the Performance Review Board. At the end of the review, provide notice of the outcome as noted above. The accused member(s) will be notified of the outcome by Personnel.

d. RU Manager Responsibilities:
   1. The IAD case will be designated confidential and all reports processed accordingly. RU managers will ensure that files are not reviewed by the accused member(s) or citizens.
   2. Ensure that IAD investigations assigned to the RU for investigation are thoroughly investigated and the investigative summary is sent to IAD within 15 weeks from the date it was assigned by IAD.
   3. Review IAD investigations assigned to the RU before the investigator’s summary is returned to IAD for review by IAD and IPR.
   4. Upon receipt of a case for review from IAD, determine which section(s) of the Manual of Policy and Procedure may have been violated based on a preponderance of the evidence.
5. Recommend a finding for each allegation, listing the members who should have entries on their IAD records, and articulate in writing the justification for each finding.

6. RU managers may recommend a bifurcation of the findings that were not part of the complainant’s allegation(s) but were uncovered during the IAD investigation. If the bifurcated findings consist of minor rule violations or quality of service, they need not be sustained as part of that IAD investigation, but handled as a debriefing. If the new findings are more serious, the RU manager may send the case back for additional investigation, if necessary, or make a recommendation on the new finding.

7. Within two weeks of receipt of an IAD case review, return the case file, through channels, to his/her Branch chief. An exception to this limit may be granted by the Branch chief.

8. If a debriefing is recommended, as long as the recommended finding is not controverted, conduct the debriefing in a timely manner. The RU manager will complete the debriefing memo and forward the original to the Review Board Coordinator and a copy of the original will be sent to IAD.

e. Branch Chief Responsibilities (or Chief of Police’s designee):
   1. Review the RU manager’s recommendations for findings and discipline within seven days and then forward to IAD.
   2. If a finding includes discipline that is less than a suspension, return the case file to the RU manager to implement discipline. Documentation of the completed discipline will be returned to the Branch chief who will forward it to IAD.
   3. If a finding includes discipline of a suspension or greater, forward the case file to IAD.

f. Review Board Coordinator Responsibilities:
   Upon receipt of a controverted finding or Process-Suspension or Greater case files do the following:
   1. The Review Board must be convened as soon as it is reasonably possible to do so.
   2. Coordinate with the RU managers and the Branch chief to schedule any requested due process meetings.

**Service Complaints (330.00)**

Complaints received from citizens regarding quality of service or minor rules violations that would not result in discipline may be handled as service complaints. There are two kinds of service complaints:

   a. IAD initiated service complaints are assigned to precincts/divisions for resolution at the discretion of the IAD manager. The IAD manager may
assign a service complaint over the objection of the citizen.
b. Precinct generated service complaints are complaints about the quality of service or minor rules violations initially filed by complainants at the precinct or division level.

**RU Managers Responsibilities:**

RU managers are responsible for ensuring that all service complaints are handled quickly and effectively and that the following minimum procedures are followed:

a. Within 14 days of receipt, supervisors shall:
   1. Evaluate each complaint.
   2. Contact the citizen to discuss the complaint.
   3. Critique with members the Bureau expectations of compliance with rules.
   4. Convey the RU manager’s expectations for quality of service.
   5. Explain the citizen’s perception of the member’s behavior.
   6. Discuss alternative approaches for improving public satisfaction with service.

b. IAD initiated service complaints shall be assigned to supervisors to make a good faith effort to contact and provide feedback to the citizen. Generally this means three attempts which shall be documented in the SCRM.

c. If a supervisor, after completing an IAD initiated service complaint, concludes that the complaint is unfounded or a member has been misidentified as having been involved in an incident, the supervisor will document the conclusion and the reasoning behind it in the SCRM.

d. All IAD initiated service complaints must be documented on a SCRM and forwarded by the RU manager to IAD.

e. All precinct generated service complaints from the public shall be documented in a Bureau approved complaint log. RU managers will ensure that copies of the complaint logs are retained at the division for three years. An example of the complaint log can be found on the Bureau’s Intranet.

f. The RU manager may decline to process a precinct generated service complaint about a minor rules violation if the member met the RU manager’s highest expectations for quality and courtesy of service, and the complaint falls into one of the following categories:
   1. The conduct, as alleged by the citizen, was in full compliance with Bureau policy and training.
   2. The citizen is contesting his/her guilt with respect to a citation for a traffic offense.
   3. The complaint is grossly illogical or improbable on its face.
4. There is no reasonable possibility of identifying the member involved in the complaint.
5. The complaint was previously handled, resolved, or adjudicated and the complainant has presented no new information that was not previously considered.

The supervisor will make a good faith effort to contact the complainant and explain why the conduct or service was proper or why the complaint has been declined. A service complaint resolution memo is not required. The declined complaint does not need to be reported to IAD or IPR. This declination will be fully documented in the complaint log.

g. If the complaint is not declined and alleges conduct or service that would not justify formal discipline, but requires correction or improvement of service, the supervisor shall discuss the allegations with the citizen and member(s). The supervisor shall attempt to resolve the complaint fairly and to the satisfaction of the complainant. Whether or not the citizen is satisfied, the RU manager shall send a SCRM to IAD.

h. If the complaint alleges disparate treatment, unlawful use of force, or other conduct too serious to be handled as a service complaint, the supervisor shall document the complaint and send the complaint directly to IAD. IAD will forward the complaint to IPR for further review and action.

IAD Responsibilities:

a. IAD will periodically audit precinct service complaint logs, including contacting citizen to ensure that log entries are accurate and complete.
b. IAD will receive and review all Service Complaint Resolution Memos prepared by RU supervisors.
c. The IAD manager will review precinct generated service complaints and:
   1. Request additional information or action from the RU manager.
   2. Forward citizen initiated complaints to IPR.
      a) Forward the case to IPR with a recommendation to approve the resolution as a service complaint. The IAD manager shall consider, but is not bound by, the citizen’s statement of satisfaction or dissatisfaction when making a recommendation to IPR.
      b) Forward the case to IPR with a recommendation that IPR dismiss the complaint if it is clear from the citizen’s statement that the complaint is untimely, false or fails to state misconduct.

Mediation (330.00)

If the IPR director and the IAD manager conclude that mediation will meet the needs of the Police Bureau and the community, the mediation option will be offered to the involved officer through his/her RU manager. This option is contingent
upon the mutual agreement of everyone involved. The IAD manager, the accused member’s RU manager, or the accused member may decline an IPR recommendation to mediate a complaint. Qualified mediators will be managed and assigned through IPR. Mediation outcomes will not result in a finding.

**Declination (330.00)**

When deciding whether to decline an investigation, the IAD manager will follow the guidelines established in City Code PSF-5.20. The IAD manager may consider the complaint, the IPR intake investigation, police reports, dispatch records, and similar documentation of the incident. The IAD manager may also request and consider additional information from witnesses to clarify limited factual issues. The limited additional inquiry of witnesses is intended to improve the IAD manager’s decisions. It is not a substitute for a full investigation and does not result in findings. The IAD manager may decline to investigate the allegations in a complaint forwarded by IPR under the circumstances described below:

a. No Misconduct: IAD may decline to assign allegations for a full investigation and take no further action if the IAD manager finds that the employee’s conduct, as alleged by the complainant, does not violate Bureau policy.

b. Minor or De Minimus Rules Violation: IAD may decline to assign allegations for a full IAD investigation and take no further action (or refer the complaint to the appropriate RU commander for an informal briefing) if the IAD manager finds that the employee’s conduct, as alleged by the complainant, constitutes a minor technical violation that if sustained would not result in discipline and is too minor or too vague to justify a service complaint.

c. No Jurisdiction: IAD may decline to assign a complaint for a full investigation and take no further action if the complaint is against a non-employee, a former employee, or an employee of another department or other agency. The IAD manager may also decline to investigate and take no further action if the employee resigns, retires, or will no longer be employed by the Bureau by the time an investigation and disciplinary process could be completed. Even if the Bureau lacks jurisdiction, IAD may decide to investigate a complaint based on the nature and seriousness of the allegations or based on a request from IPR or another law enforcement agency. For example, if serious misconduct has been alleged, the IAD manager may order an investigation to:
   1. Place the findings in the employee’s personnel or IAD file.
   2. Forward the findings to another agency, review the actions of the employee’s supervisors.
   3. Recommend a review of Bureau training or policies.
   4. Discipline may also be imposed if the employee returns to service.

d. Judicial or administrative review: IAD may decline to assign allegations
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for a full investigation and take no further action if the allegations have been or will be subject to effective judicial or administrative review. A pending tort claim or lawsuit generally shall not be a sufficient basis for declining to investigate a complaint.

e. Unidentifiable employee: IAD may decline to assign a complaint for a full investigation and take no further action if the IAD manager finds that a reasonable investigative effort would not be able to identify the complained-against employee.

f. Previously investigated or adjudicated: IAD may decline to assign allegations for a full investigation and take no further action if the IAD manager finds that the alleged conduct was previously investigated or adjudicated by the Bureau and that the current complaint does not provide substantial new evidence.

g. Lacks Investigative Merit: IAD may decline to assign allegations for a full investigation and take no further if:
   1. IAD manager finds there is no reasonable possibility that an investigation either will sustain the allegation; or
   2. IAD manager articulates specific reasons why the complaint is not credible or reliable.

h. Insufficient Resources: Refer to City Code 5.19 3(b). If the IAD manager finds that IAD’s workload significantly exceeds available resources and will continue to exceed for the foreseeable future, available resources may be focused on more serious or more provable complaints and decline less serious or less provable complaints. IAD will notify the IPR Director if IAD’s workload exceeds IAD’s resources to such an extent that IAD must significantly raise its threshold for investigating complaints.

Criminal Complaints Regarding Members (330.00)

Allegations of member misconduct, which include a possible criminal law violation, will be initially treated as a criminal case rather than an IAD investigation. Criminal cases involving members will be processed according to DIR 343.00, Criminal Investigations of Police Bureau Employees.

Unlawful Employment Practices, Discrimination Complaints, EEO (330.00)

Complaints by members, which allege unlawful employment practices, will be processed according to DIR 344.00 Prohibited Discrimination and HR Administrative Rule 2.2.

Personnel Performance Deficiencies (330.00)

Complaints regarding job performance problems or minor work rule violations may be processed according to the procedures in DIR 342.00 Performance Deficiencies.
**Temporary Personnel Action (330.00)**

A temporary personnel action may be taken if the alleged conduct is so serious in nature that prompt action is necessary to protect the public, the member, or the Bureau, or when it is reasonable to question the member’s mental, physical, or emotional ability to properly and safely pursue his/her normal duties and responsibilities. A temporary personnel action of immediately relieving a member from duty can be taken by a supervisor or relief commander after consulting with the RU manager. The Personnel manager will be notified as soon as possible.

The relief of duty must be approved by the Chief of Police before the start of the member’s next shift. Factors considered in taking a temporary personnel action include, but are not limited to:

a. The likelihood of criminal charges against the member.

b. The member’s ability to effectively continue performance of duty.

c. Involvement in alleged serious misconduct.

d. Potential or actual bringing of extreme discredit to the Bureau.

As part of a temporary personnel action, the Chief of Police may order the member to turn in his/her Bureau identification, Bureau-issued badge, hat badge, electronic security key, and other bureau-issued equipment (radios, weapons, etc.).

A temporary personnel action is distinguished from a disciplinary action in that it is a predetermination action. Members relieved of duty in a temporary personnel action will be relieved with pay. The Chief of Police, or designee, may elect to take the temporary personnel action of administrative transfer.

**Purging of IAD Files (330.00)**

The policy and procedures for purging IAD files pertains only to those files that are in the custody and control of IAD. Information from IAD investigations may reside in the files of the Personnel Division, Chief’s office, IPR or the Bureau of Human Resources.

Unless otherwise directed by the Chief of Police or court order, individual IAD case files and other references may be destroyed after three years from the date of the incident when assigned the following case dispositions:

a. Exonerated/exonerated with a debriefing

b. Unproven/unproven with a debriefing.

c. Declined.

d. Mediated.

e. Service complaints.

f. Administratively referred.

All sustained IAD cases will be permanently retained in files, unless expunged pursuant to all the criteria listed below:

a. A minimum of five years have elapsed since the incident date of the last sustained complaint.

b. The discipline imposed was less than demotion.
c. Authorized by the Chief of Police.

Authorization is initiated by the requesting member’s RU manager through an inter-office memorandum to the Chief of Police. The memorandum must contain a brief overview of the case, the discipline imposed, a summary of the member’s conduct and performance since the last sustained case, and the RU manager’s rationale for the decision to support or deny the request to expunge the record.

Files of IAD investigations in which the discipline imposed was the member’s termination of employment, or investigations that precipitate the member’s resignation, will be retained for not less than 10 years from the date of separation.

The Chief of Police retains the authority to order the purging of an IAD file without the member making a formal request.

IAD Findings for Complaints (330.00)

The findings made in an IAD case include:

a. Unproven: Allegation not proven by a preponderance of the evidence.
b. Unproven with a debriefing: While the allegation is not proven by a preponderance of the evidence, a critique of the complaint with the member should be conducted.
c. Exonerated: Actions of the member were within the policies and procedures.
d. Exonerated with a debriefing: While the member’s actions were within the policies and procedures, a critique of the complaint with the member should be conducted.
e. Sustained: Member found to be in violation of policy or procedure.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (330.00)

The IAD manager will ensure that the assignment, investigation, and documentation of complaints received are done in accordance with this directive. Each RU manager will ensure that complaints received by their RU are processed in a timely manner.
335.00  USE OF FORCE BOARDS

Index: Title;
Refer: ORS 131.005 Probable Cause, Defined
ORS 161.015 Deadly Physical Force and Serious Physical Injury, Defined
ORS 161.219 Limitations on Use of Deadly Physical Force in Defense of a Person
ORS 161.239 Use of Deadly Physical Force in Making an Arrest or in Preventing an Escape
DIR 341.00 Discipline Process
DIR 342.00 Performance Deficiencies
DIR 343.00 Criminal Investigations of Portland Police Employees
DIR 344.00 Prohibited Discrimination
DIR 1010.10 Deadly Physical Force
DIR 1010.20 Physical Force
Applicable Bargaining Agreements

POLICY (335.00)
The Use of Force Review Board (UFRB) will serve as an advisory body to the Chief of Police. The UFRB will review cases as defined in subsequent sections of this directive for adherence to policy and generally accepted standards. A quorum of five board members is required.

PROCEDURE (335.00)

Directive Specific Definitions

Action items: Recommendations for the review of policies, training, supervision, tactics, and equipment that are identified during the review board process.

Board member: Bureau member or citizen serving on a Use of Force Review Board with the right to ask questions and to vote on each item being considered.

Case File: A file containing copies of the detective case notebook, the Internal Affairs investigation and Training Division analysis.

Controverted finding: Determination that is challenged by a Branch Chief, the IAD manager or the IPR director.

Involved member: The member whose actions are the subject of the review.
Witness member: A member who observed some or all of an incident being reviewed.

Findings for officer involved shootings and in-custody deaths are defined as:

a. In policy.
b. Out of policy.
c. In policy with debriefing.
   1. Tactical development.
   2. Organizational review.
   3. Performance analysis.
Selection Process for Board Members (335.00)

a. The Chief of Police will select volunteers to form a pool of citizen members to serve on the UFRB.
   1. Citizen board members must pass a background check, participate in training to become familiar with Bureau training and policies, and sign a confidentiality agreement. Training for Board members will include such topics as use of force, just cause, discipline policy and Bureau directives.
   2. Citizen members will be required to participate in ride-alongs to maintain sufficient knowledge of police patrol procedures.
   3. The names of citizen members serving in the pool will be made public.

b. The Chief of Police will also appoint Bureau members from each rank to serve as peer members for the boards. Peer member applications will be reviewed by the Services Branch chief and representatives of the Bureau’s bargaining units. Peer representatives from the involved member’s RU will not serve on the UFRB.

c. All Board members will serve at the discretion of the Chief of Police.

d. All Board members will receive a comprehensive orientation regarding the UFRB process.

The Use of Force Review Board’s Scope (335.00)

a. To review the following use of force incidents:
   1. All officer involved shootings.
   2. Serious injury caused by an officer that requires hospitalization and treatment.
   3. All in-custody deaths.
   4. Less lethal incidents where the recommended finding is out of policy.
   5. Discretionary cases referred by the Chief of Police or Branch chief.
   6. Controverted findings.

b. To recommend findings to the Chief of Police on whether or not the force used was within Portland Police Bureau policies.

c. To comment on the adequacy and completeness of the investigation and the RU manager’s findings of the investigation.

d. To ask for additional investigation, if needed.

e. To recommend action items.

f. To consider performance issues regarding the involved member.
   1. Performance issues involving a witness member will be referred to the Performance Review Board as a separate action.
Use of Force Review Board Composition (335.00)

A UFRB will be composed of eight voting members and six advisory members:

a. Three Branch chiefs. The Services Branch chief serves as the chair.
b. Two peer members of the same rank/classification as the involved member; peer members will be selected from a pre-approved pool of Bureau representatives.
c. Two citizen members from a pre-approved pool of citizen volunteers.
d. Member’s RU manager.
e. The Office of Accountability and Professional Standards manager (OAPS) (advisory member).
f. The Review Board Coordinator (advisory member).
g. A representative from the Bureau of Human Resources (advisory member).
h. A representative from the City Attorney’s Office (advisory member).
i. Internal Affairs Division Manager (advisory member)
j. Independent Police Review Director (advisory member)

During the presentation of the case there may also be representatives from the following:

a. Training Division.
b. Divisions with investigative functions (IAD, Detectives, Precinct).
c. Bargaining units.

Board Member Responsibilities (335.00)

a. Board members will engage in honest and thoughtful discussions and vote based on the Board member’s best judgment.
b. All case files are confidential in nature. Board members will not discuss or disclose any information about the cases without the authorization of the Services Branch chief.
c. Case files will be reviewed by Board members under the following procedures:
   1. The review must take place in the Review Board Coordinator office.
   2. No materials will be removed from the Review Board Coordinator office including case files or notes taken during case review.
d. The Board should request additional information whenever the Board determines that such information would be necessary to make a decision.

Involved Members’ Responsibilities (Rights) (335.00)

a. The involved member has at least 14 days to review the case file before the UFRB meeting.
b. If the involved member elects to be present, the involved member may, after the presentation of the case, provide information to the UFRB re-
d. The involved member may be accompanied before the Board by a bargain-
ing unit representative or an attorney.
   1. In the case of medical necessity, the UFRB chair may authorize the
      involved member to be accompanied by another necessary person.

e. The involved member is allowed to remain until executive session.

Review Board Coordinator Responsibilities (335.00)
The Review Board Coordinator is a non-sworn position assigned to the Office
of Accountability and Professional Standards. The RBC convenes the UFRB and
oversees its function.
   a. Upon receipt of the IAD investigation report and Training Division analy-
sis, forward the case file to the RU Manager to prepare an analysis and
proposed findings.
   b. Upon receipt of the RU Manager’s analysis and proposed findings from
the Branch chief, within 21 days, select a date to convene the UFRB.
      1. If the involved member is unable to attend due to illness or emer-
gency, the meeting may be rescheduled by the RBC with permission
         from the UFRB chair.
      2. The RBC will select members to form each UFRB.
   c. Ensure that the Training and IAD managers receive a copy of the RU
manager’s analysis and proposed findings.
   d. Notify the involved member of the date and time of the UFRB at least 14
days prior to the UFRB meeting and facilitate the member’s review of
the case file.
   e. Issue an invitation to the involved member(s) to be present and to partici-
pate in providing a personal account of the incident details.
   f. Provide the involved member with a written description of the UFRB
procedures.
   g. Act as the custodian of the case file.
   h. Notify IAD in writing of the UFRB’s recommendations. Notify IAD in
writing if the Chief’s decision changes the UFRB’s recommendations.
   i. Notify the Board members of the final decision by the Chief of Police of
those cases heard by the members.
   j. Coordinate with citizen and peer members for review of the case file.
   k. Assist in the review process as required.
   l. Maintain a record of all recommendations and action items identified and
document the actions taken in response to the recommendations or action
items.
   m. Advise and assist in ensuring that all proper procedures are adhered to.
   n. Assist in the preparation of appropriate documents.
Detective Division Manager’s Responsibilities (335.00)
   a. At the conclusion of the Grand Jury/Public Inquest proceedings or decision by the District Attorney regarding whether criminal charges will be filed against any involved member, the Detective Division will have 30 days to complete the investigative case notebook and provide copies of the case notebook to the following.
      1. Review Board Coordinator.
      2. Internal Affairs Division manager.
      3. Training Division manager.
      4. Involved member’s bargaining unit representative.
      5. IPR director.
   b. Within two weeks of distributing the case notebooks, investigators will meet with members of the Internal Affairs and Training divisions to discuss areas to be reviewed and presented at the UFRB.
   c. Prepare and present an oral presentation at the UFRB.

IAD Manager Responsibilities (335.00)
   a. Upon receipt of the completed Detective Division case notebook, IAD will have two weeks to review the case notebook and meet with representatives of the Training and Detective divisions. The purpose of this meeting is to review the relevant issues of the event and to designate responsibilities for each RU’s analysis.
   b. IAD will then have six weeks to complete its investigation.
      1. IAD should interview the involved member unless the Detective Division’s investigation covered all appropriate issues relating to policy, training and tactics.
   c. The completed IAD investigation report will be forwarded to the RBC.
   d. The IAD manager will ensure that a written report and oral presentation are prepared for the UFRB. The IAD report and presentation will focus on policy related issues raised by the review.

Training Division Manager’s Responsibilities (335.00)
   a. Upon receipt of the completed Detective Division case notebook, the Training Division will have two weeks to review the case notebook and meet with representatives of the Internal Affairs and Detective divisions.
      1. The purpose of this meeting is to review the relevant issues of the incident and to designate responsibilities for each RU’s analysis.
   b. Training will then have six weeks to complete its analysis. The completed analysis will be forwarded to the RBC. The Training manager will ensure that a written analysis and oral presentation is prepared for the UFRB. This Training analysis will focus on the following items:
1. Tactics, policies, equipment and level of force used.
2. Training provided to the member.

**RU Manager Responsibilities (335.00)**

a. Review all UFRB case files and prepare an analysis and proposed findings for all UFRB incidents received by the RU manager.
b. Forward the analysis and proposed findings to the Branch chief within 21 days. The 21 day review period starts on the day after the case file is received at the RU. If the 21 day timeline cannot be met; the RU Manager must submit a memorandum to his/her Branch Chief explaining the circumstances causing the delay.

**Branch Chief Responsibilities (335.00)**

a. Review all analyses and proposed findings.
b. If the Branch chief concurs with the analysis and proposed findings, the case will be forwarded to the RBC within seven days.
c. If the Branch chief disagrees with the analysis or proposed findings, he/she will meet with the RU manager to resolve the disagreement or prepare a supplemental analysis and proposed findings.
d. Within seven days, the Branch chief shall either send the case file back to the RU manager for further analysis or prepare the supplemental analysis and proposed findings and send these to the RBC.
e. The seven day review period begins on the day after the case file is received by the Branch chief.

**UFRB Chair Responsibilities (335.00)**

a. The UFRB Chair will provide the Chief a written description of the majority and any minority opinions of the UFRB.

**Chief of Police’s Responsibilities (335.00)**

a. Review and evaluate the recommended finding(s) and discipline.
b. Determine the appropriate course of action and/or discipline.
c. Return the case to the RBC for processing.
d. In a case where suspension without pay, demotion or discharge is proposed, conduct or delegate the authority to conduct a due process meeting.
e. Consider information presented by the employee in the due process meeting, make a final recommendation to the Commissioner-in-Charge and, once finalized, forward documentation of the imposed discipline and the investigative file to the RBC.
336.00 PERFORMANCE REVIEW BOARDS

POLICY

The Performance Review Board (336.00)

The Performance Review Board (PRB) will serve as an advisory body to the Chief of Police. The PRB will review cases as defined in subsequent sections of this directive for adherence to policy and generally accepted standards. A quorum of five board members is required.

PROCEDURES (336.00)

Directive Specific Definitions

Action items: Recommendations for the review of policies, training, supervision, tactics, and equipment that are identified during the review board process.

Board member: Bureau member or citizen serving on a Performance Review Board with the right to ask questions and to vote on each item being considered.

Case File: File containing the originals or copies of the Internal Affairs file or other investigation materials for a PRB case.

Controverted finding: Determination that is challenged by a Branch chief, the IAD manager or IPR director.

Involved member: The member whose actions are the subject of the review.

Witness member: Member who observed some or all of an incident being reviewed by the PRB.

Selection Process for Board Members (336.00)

a. The Chief of Police will select volunteers to form a pool of citizen members to serve on the PRB.

1. Citizen board members must pass a background check, participate in training to become familiar with Bureau training and policies and sign a confidentiality agreement. Training for Board members will include such topics as use of force, just cause, discipline policy and Bureau directives.

2. Citizen members will be required to participate in ride-alongs to maintain sufficient knowledge of police patrol procedures.

b. The Chief of Police will also appoint Bureau members from each rank to serve as peer members for the boards. Peer member applications will
be reviewed by the Services Branch chief and representatives of the Bu-
reaux’s bargaining units. Pool representatives will not serve on a PRB for a
member of the pool representative’s RU.
c. All Board members will serve at the discretion of the Chief of Police.
d. All Board members will receive a comprehensive orientation regarding the PRB process.

The Performance Review Board’s Scope (336.00)
The PRB is to review all cases that involve:
a. Investigations resulting in a sustained finding and the proposed discipline are suspension without pay or greater. See DIR 341.00 Discipline Process for procedures for Discipline Process-Less than Suspension.
b. A controverted finding.
d. A request for review by the Chief of Police or a Branch chief.
e. All completed Equal Employment Opportunity investigations.

The PRB may make recommendations regarding the adequacy and completeness of the investigation, the findings of the investigation, the proper charges, and the level of discipline. The PRB may also suggest action items to address training or policy issues that have emerged from an investigation or various investigations. In cases where discipline is recommended, the PRB will recommend a level of discipline that is consistent with the applicable City and Bureau rules, including obligations under collective bargaining agreements.

Performance Review Board Composition (336.00)
A PRB will be composed of six voting members and six advisory members:
a. Three Branch chiefs. The Services Branch chief will serve as the chair.
b. One peer member of the same or comparable rank/classification as the member being reviewed, and will be selected from a pre-approved pool of Bureau representatives.
c. One citizen member, selected from a pre-approved pool of citizen volun-
d. Member’s RU manager.
e. The Office of Accountability and Professional Standards manager (advi-
sory member).
f. The Review Board Coordinator (advisory member).
g. A representative from the Bureau of Human Resources (advisory mem-
h. A representative from the City Attorney’s Office (advisory member).
i. The Internal Affairs Division Manager (advisory member)
j. The Independent Police Review Director (advisory member)

During the presentation of the case there may also be representatives from the following:
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a. Training Division.
b. Investigative divisions (IAD, Detectives, Precinct).
c. Bargaining units.

Involved Members’ Responsibilities (336.00)
a. The involved member has at least 14 days to review the case file before the PRB meeting.
b. If the involved member elects to be present, he/she may, after the presentation of the case, provide information to the PRB regarding the incident.
c. The involved member may provide information to the PRB in written or oral format.
d. The involved member may be accompanied before the Board by a bargaining unit representative or an attorney.
e. The involved member is allowed to remain until executive session.

Review Board Coordinator Responsibilities (336.00)
The Review Board Coordinator (RBC) is a non-sworn position assigned to the Office of Accountability and Professional Standards. The RBC convenes the PRB and oversees its function.

a. Upon receipt of a case file from IAD select a date within 21 days to convene the PRB.
   1. The RBC will select members to form each PRB.
b. Notify the involved member of the date and time of the PRB at least 14 days prior to the PRB meeting and facilitate the member’s review of the case file.
c. Issue an invitation to the involved member(s) to be present and to participate in providing a personal account of the incident details.
d. Provide the involved member with a written description of the PRB procedures.
e. Retain a copy of the case file during the PRB process.
f. Notify IAD in writing of the PRB’s recommendations. Notify IAD in writing if the Chief’s decision changes the PRB’s recommendations.
g. Notify the Board members of the final decision by the Chief of Police of those cases heard by the members.
h. Coordinate with citizen and peer members for review of the case file.
i. Assist in the review process as required.
j. Maintain a record of all recommendations identified and document the actions taken in response to the recommendations.
k. Advise and assist in ensuring that all proper procedures are adhered to.
l. Assist in the preparation of appropriate documents.
Branch Chief Responsibilities (336.00)

a. Review the RU manager’s recommendations for findings and discipline within seven days and then forward to IAD.

b. If a finding includes discipline that is less than a suspension, return the case file to the RU manager to implement discipline. Documentation of the completed discipline will be returned to the Branch chief who will forward it to IAD.

c. If a finding includes discipline of a suspension or greater, forward the case file to IAD.

Chief of Police’s Responsibilities (336.00)

a. Review and evaluate the recommended finding(s) and discipline.

b. Determine the appropriate course of action and/or discipline.

c. Return the case to the RBC for processing.

d. In a case where suspension without pay, demotion or discharge is being considered, conduct (or delegate the authority to conduct) a due process meeting.

e. Consider information presented by the employee in the due process meeting, and if discipline is the final recommendation, make the final recommendation to the Commissioner-in-Charge and, once finalized, forward documentation of the imposed discipline and the investigative file to the RBC.

341.00 DISCIPLINE PROCESS

Index: Title
Refer: City Human Resources Administrative Rules
Portland City Code
ORS 161.015 Deadly Physical Force and Serious Physical Injury, Defined
ORS 161.239 Use of Deadly Physical Force in Making an Arrest or in Preventing an Escape
DIR 330.00 Internal Affairs, Complaint Investigation Process
DIR 335.00 Performance Review and Use of Force Review Boards
DIR 342.00 Performance Deficiencies
DIR 343.00 Criminal Investigations of Portland Police Employees
DIR 344.00 Prohibited Discrimination
DIR 345.00 Early Warning System
DIR 1010.20 Physical Force

POLICY (341.00)

Police Bureau members are subject to disciplinary action for cause or just cause.
Possible disciplinary actions are identified in Human Resources Administrative Rule 5.1, or the applicable collective bargaining agreement. Generally, discipline is progressive, beginning with an oral or written warning and proceeding to suspension, demotion or discharge. Counseling, instruction and training are not considered disciplinary action and may be used to correct minor, non-repetitive violations of rules and regulations.

Serious offenses include, but are not limited to, criminal or other unlawful acts, abuse of authority, theft, untruthfulness, excessive force, failure to follow orders, unlawful discrimination, workplace harassment, retaliation, hostile work environment, or workplace violence and may justify suspension or discharge without the necessity of prior warnings or attempts at corrective discipline.

In all cases, the level and degree of discipline shall be in keeping with the seriousness of the offense, taking into account the circumstances relevant to the case. For less serious infractions, which warrant progressive discipline, the ultimate goal is to put the member on notice that certain conduct is unacceptable and to provide the member with a reasonable opportunity to modify his or her behavior.

It is not the purpose of this directive to require some automatic progression of disciplinary measures. Rather, the circumstances of each situation are considered on a case by case basis.

**Guidance for the Discipline Policy (341.00)**

In order to maintain public confidence in the ability of the Bureau to investigate and properly address legitimate complaints concerning employee conduct and performance, a broad range of tools are available. On one end of the spectrum is using corrective counseling techniques to train or correct mistakes. The Bureau also has a responsibility to impose disciplinary action when a member’s conduct or performance warrants it.

The Bureau’s philosophy with respect to discipline is the same philosophy that is applied to employees who work elsewhere in the City, which is that disciplinary action is one tool available to assist supervisors in working with employees whose behavior or job performance does not meet the expectations associated with the position they hold. Discipline can be used to correct behavior, to deter a violation of rules and regulations, and to hold employees accountable for their behavior or performance. Generally speaking, discipline is used to gain the employee’s attention, put the employee on notice of unacceptable conduct or performance, and give the employee a reasonable opportunity to correct his or her behavior. Each situation in which discipline is considered is unique and will be considered on its own merits.

Before taking disciplinary action, the Bureau will conduct an investigation to assist it in determining whether the employee, in fact, engaged in misconduct or performance that is contrary to Bureau expectations, whether the employee knew or should have known better, and if so, whether disciplinary action is appropriate.
and fair considering all the circumstances. The Bureau strives to insure that its investigations are fair and thorough, with truth as its primary objective.

In determining what level of discipline is appropriate, the totality of the circumstances surrounding the conduct or performance will be taken into account. The factors identified below are provided as general guidance only, and are not intended to limit the Bureau or to be an all inclusive list. Not all factors come into play in each situation, and one or some factors may outweigh others.

**Appropriate Discipline Factors (341.00)**

a. Fault: This factor includes a variety of considerations, including but not limited to the employee’s intent, the potential harm to others or to the agency, and the seriousness of the performance deficiencies or misconduct.

b. Prior Warnings: This factor takes into account what has been communicated to the employee on prior occasions about what is expected, what the member’s attitude has been about the problem, and whether the member accepts responsibility for correcting the behavior.

c. Discipline History: This factor will consider what stage of progressive discipline the situation warrants, if progressive discipline has been used in the past. All recent discipline is relevant, not just discipline for a specific kind of conduct.

**PROCEDURES (341.00)**

**Directive Specific Definitions**

Action items: Recommendations for reviewing policies, training, supervision, tactics, and equipment that were identified during the review board process.

Debriefing memorandum: Documents a specific incident with the member(s) involved for the purpose of reviewing issues such as training, tactics, supervision and member(s) performance in relationship to the Bureau’s policies, procedures, values, goals, mission and expectations.

Due process hearing: A pre-disciplinary meeting with the Chief of Police and the involved member to discuss the members proposed discipline.

Review file: A file containing copies of all of the reports and documents for a specific case.

**Performance Review Process (341.00)**

Citizen complaints or internal performance complaints that fit the criteria for the Performance Review Board will be investigated by the member’s division or Internal Affairs Division (IAD). The investigation must be completed within 10 weeks of receiving the complaint. The 10 weeks start on the day after the complaint is received by the investigating unit. When the investigation is complete, IAD will
initiate the review process by sending the case file to the suspect member’s RU manager for review.

**RU Manager Responsibilities (or his/her designee)**

a. Review all completed investigations and case files sent to him/her.
   1. The review of each investigation or case file must be completed in 14 days or less. The 14 day review period starts on the day after the case file is received at the division.

b. Make a finding in the case.

c. If the finding is sustained, make a recommendation for discipline.

d. Forward the case file with the discipline memo attached to the Branch chief.

e. Review any case files that are returned to him/her for further investigation by the Branch chief. Complete the enhanced investigation and return the file to the Branch chief.

**Branch Chief Responsibilities (or his/her designee)**

a. Review all PRB case files sent to him/her within seven days.

b. If the Branch chief concurs with the recommended finding and discipline, then he/she will determine what Discipline Process is to be used.
   1. If Discipline Process-Less than Suspension is used, he/she will:
      a) Document that Process-Less than Suspension will be used, and return the case file to the appropriate RU manager to implement discipline.
   2. If Discipline Process-Suspension or Greater is to be used he/she will:
      a) Document that Process-Suspension or Greater will be used, and include that documentation in the case file.
      b) Send the case file on to IAD.

**IAD Manager Responsibilities (341.00)**

a. Ensure that each PRB case file sent to IAD is logged in upon receipt.

b. File the original copies of all case files normally.

c. Coordinate with the bargaining units to find a time for them to review the entire case file.

d. Ensure that on performance cases, a copy of the file is made and sent to the RBC within seven days after completion and review by Investigations.

**Bargaining Units’ Responsibilities (341.00)**

a. Review the case file in IAD with the member(s) and legal representation deemed necessary.
   1. The review of the case file must be completed in 14 days or less (two
Review Board Coordinator Responsibilities (341.00)

a. Upon receipt of the Process-Suspension or Greater case files do the following:
   1. Within 21 days schedule a time for the Performance Review Board to convene.
   2. The PRB must be convened as soon as it is reasonably possible to do so.
   3. Coordinate with the RU managers and the Branch chief to schedule requested due process.

Internal, Performance and Collision Review Board Investigations (341.00)

a. RU manager responsibilities:
   1. Contact the RBC to obtain a Performance Review number (non IAD cases).
   2. Review all completed internal or performance investigations that originated in their division.
   3. Make a recommendation as to whether a violation of Bureau and/or city policy has occurred or not (e.g., sustained or some other finding).
   a) Whether or not the allegation is sustained, the RU manager or the Review Board may make a recommendation for a debriefing to be held. The RU manager is responsible for preparing and conducting the debriefing. Following the debriefing the RU manager will complete the debriefing memo and forward the memo to the RBC. A copy of the memo will be sent to IAD.
   4. In the event of a sustained finding, the RU manager will recommend an appropriate disposition in one of the following forms:
   a) Letter of Expectation: A written document reinforcing Bureau expectations as they relate to performance and/or policy and procedures. It is designed to correct behavior without going to the first step of discipline.
   b) Memo of Command Counseling: A documented discussion that focuses on improving future performances based on the lessons learned from a past event that has been formally reviewed.
   c) Letter of Reprimand: Written documentation of discipline that was imposed due to performance issues and/or violations of Bureau directives.

In sustained cases asking for a Letter of Expectation, Memo of Command Counseling or a Letter of Reprimand, Discipline Process-Less than Suspension will be
followed. In all other sustained findings, Discipline Process-Suspension or Greater will be followed.

**Discipline Process-Less Than Suspension (341.00)**

If there is a recommendation for a sustained finding, and the recommendation is a Letter of Expectation, Command Counseling, or a Letter of Reprimand, then the RU manager and Branch chief will be responsible for implementing these actions according to the following steps:

a. Before making a discipline recommendation, the RU manager will review both the member’s discipline history and Bureau discipline history for similar offenses.

b. The RU manager, in consultation with the RBC, will prepare the proposed Letter of Expectation, Command Counseling or Letter of Reprimand as appropriate. The RU manager will also complete and attach the discipline memo and a complete copy of the case.

c. The Branch chief will review the RU manager’s recommended action and, if he/she approves of the recommendation, he/she will forward the memo to the Chief of Police for his/her approval and signature. Following the Chief of Police’s approval, the memo will be forwarded to the RU manager.

d. The RU manager will meet and discuss the incident with the member. If the RU manager is imposing Command Counseling or a Letter of Expectation, the RU manager will communicate the expectations in the meeting with the member. If the RU manager is proposing a Letter of Reprimand, the RU manager will impose the discipline by serving the member with the proposed Letter of Reprimand.

e. If the discipline is a Letter of Reprimand then the member can request a due process hearing with his/her Branch chief. In cases where Command Counseling is the action to be taken District Council of Trade Union (DCTU), members also have the ability to request a due process hearing with his/her Branch chief after conferring with the Chief of Police before the discipline is imposed.

f. The RU manager will direct a memo through channels to the Personnel manager that the Letter of Reprimand, Command Counseling, or Letter of Expectation has been served. The memo, along with all documentation including case file and all tapes, as appropriate, will be filed in the member’s discipline file and/or personnel file.

**Discipline Process-Suspension or Greater (341.00)**

If there is a recommendation for a sustained finding and the recommendation is suspension or greater, then the RBC will convene a Performance Review Board. Refer to Directive 335.00 Performance Review and Use of Force Review Board.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (341.00)

It is the responsibility of every supervisor and RU manager to ensure that subordinate members comply with policies, procedures and rules. Supervisors and RU managers will take appropriate action when observing or having knowledge of violations of City and Bureau policies, procedures and rules. Failure by a supervisor or RU manager to take appropriate action may subject the supervisor or RU manager to disciplinary action.

RU managers will ensure his/her members know and understand the acceptable and professional conduct that is expected by the Bureau. Additionally, RU managers will ensure that all complaints, both internal and external, are treated equally and in accordance with Bureau guidelines.

342.00 PERFORMANCE DEFICIENCIES

Index: Title; Rule Violations
Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process
       DIR 341.00 Discipline Process
       DIR 343.00 Criminal Investigations of Police Bureau Employees
       DIR 344.00 Prohibited Discrimination
       Applicable Bargaining Agreements

POLICY (342.00)

It is the policy of the Bureau that member performance deficiencies be investigated within the RU structure. If discipline is required, it will normally be progressive in nature. However, serious job performance problems may justify suspension or discharge without prior warning or attempts at corrective action.

Member performance deficiency investigations are initiated as a result of Bureau generated complaints about poor employee performance or minor work rule violations. Job performance problems may include, but are not limited to, attendance problems, failure to properly perform assigned duties and unacceptable written/verbal communication.

PROCEDURE (342.00)

RU managers are responsible for the initiation of investigations of allegations of member performance deficiencies. RU managers will:

a. Ensure a prompt and thorough investigation, which protects the contractual and legal rights of the employee. When preparing a disciplinary case, interviews with members should be tape recorded.

b. Take appropriate corrective action, or if discipline is appropriate, follow the procedures in DIR 341.00 Disciplinary Process.

c. Send the investigation to the Personnel Division for filing.
d. Place documentation of corrective action taken in the member’s 201 File.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (342.00)
RU managers will ensure their staff is educated as to what constitutes personnel performance deficiency and how to initiate and process such an investigation as described by this directive.

343.00 CRIMINAL INVESTIGATIONS OF POLICE BUREAU EMPLOYEES
Index: Title; Investigations of Police Employees, Criminal
Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process
       Applicable Bargaining Agreements
       Internal Criminal Investigations checklist (Detectives)

POLICY (343.00)
Maintenance of the integrity, effectiveness and efficiency of the Bureau and the community policing goal of accountability can only occur when allegations of criminal law violations against members are thoroughly investigated. Any member who receives a complaint of criminal conduct by another member or who observes criminal conduct by another member, or is the subject of a criminal complaint or legal action which may affect their employment will immediately notify the appropriate supervisor as listed under the Procedure section.

PROCEDURE (343.00)
All allegations of criminal conduct by members will be referred to the Detective Division manager.
Any member who receives a complaint of criminal conduct by another member or who observes criminal conduct by another member, or who is the subject of any arrest or court action instituted against them from the scope of his/her employment or other legal actions that may affect his/her employment will immediately notify one of the following:
   a. Reporting member’s shift supervisor.
   b. Reporting member’s RU manager.
   c. Branch chief.
   d. Detective Division manager.
   e. IAD manager.
Members are authorized to make notification, outside their chain of command, to any of the above listed managers. Any manager who receives notification of a criminal complaint against a member will ensure the Detective Division manager is immediately notified. The Detective Division manager is responsible for notifying
the IAD manager of the criminal complaint by the next business day. The Detective Division manager and IAD manager will meet monthly to review criminal investigations of Bureau members.

Criminal Investigation Supervision and Coordination (343.00)

Upon receiving a complaint of criminal conduct by a member, the Detective Division manager will notify the Investigations Branch chief. Based upon the nature of the allegations and scope of the criminal investigation, the Detective Division (Detectives), Drugs and Vice Division (DVD) or Family Services Division (FSD) will be assigned the criminal investigation through the Investigations Branch chief. The assigned division is responsible for the supervision and coordination of the criminal investigation.

Outside Jurisdiction (343.00)

If it is determined that the alleged criminal conduct occurred in a jurisdiction other than the City of Portland, the IAD manager will be responsible for establishing a liaison with the other jurisdiction to monitor the progress of the investigation and court action. The IAD manager will notify the Investigations Branch chief on all outside criminal investigations.

Police Bureau Investigations (343.00)

The assigned RU manager will:

a. Obtain, or cause to be obtained, a confidential Police Bureau case number from the Records Division (Records) manager or the numbering desk in the event of the absence of the manager. To aid in tracking the case, minimal information (i.e., name, date) should be given to the Records manager (not to the numbering desk).

b. Contact the District Attorney’s (DA’s) office for assignment of a Deputy District Attorney (DDA) to the investigation.

c. Assign appropriate criminal investigators to the case.

d. Contact the Administrative Supervisor II (ASII) in Detectives and provide case number, complainant’s name, involved member’s name, name of investigators, and a one sentence summary of the allegation.

Investigation Supervisor’s Responsibilities (343.00)

The investigator’s supervisor will:

a. Meet with the assigned DDA and criminal investigators to determine the investigative process and to coordinate investigative and judicial proceedings.

b. Supervise the assigned investigators and review investigative reports. Upon approval of the report, the supervisor will forward copies of all reports to the IAD manager.

c. Ensure that the constitutional and contractual rights of members are pro-
tected in accordance with laws, Bureau and DA policies.

d. Obtain appropriate court and DA’s office documents.

e. Expedite the investigation.

f. Provide the Detectives ASII with a bi-monthly status of the case (i.e., on going interviews, reports written, awaiting evidence, interviews or discussions with DAs, etc.).

g. Maintain an Internal Criminal Investigations checklist to indicate where the physical case is located at any given time. The checklist is available on the Intranet.

**Detective Division Manager Responsibilities (343.00)**

To ensure that all Criminal Internal cases are tracked and completed, the Detective Division manager will:

a. Maintain a Criminal Internal database that includes case number, complainant’s name, involved member’s name, name of investigators, case status, one sentence summary and the date investigations open and close.

b. Meet with a representative of IPR and/or IAD monthly to reconcile databases.

c. Provide clerical support and secure locking cabinets to assigned investigators as needed.

d. Ensure the original case reports are delivered, by hand or in a sealed envelope, to the Records manager after the case is completed.

e. Provide a complete copy of the case to the Investigations Branch chief who will forward to the IAD manager through channels.

**Completion of Criminal Investigation (343.00)**

Upon completion of the criminal investigation, DA’s office action and/or court proceedings, the RU manager in charge of the investigation will submit the investigation to the Investigations Branch chief. The Investigations Branch chief will refer the case to IAD to determine if an IAD investigation will be initiated. All original documents will be returned to the Detectives ASII for proper disbursal to Records and IAD.

**RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (343.00)**

RU managers will ensure that members within their chain of command understand the ramifications of criminal behavior by members and the expectations and process of reporting such activity. This will be accomplished through consistent education and support of the mission, values and goals of the Bureau.
POLICY (344.00)

All members shall be treated with respect and dignity, and shall strive to maintain an environment free from discrimination and harassment. It is a goal of the Bureau to remove barriers, which cause discrimination.

Members will not engage in prohibited discrimination on the basis of race, color, religion, gender, national origin, age, marital status, sexual orientation, mental or physical disability, or source of income in the delivery of services or in the treatment of any citizen. Members will not sexually harass any citizen or engage in any conduct prohibited by this directive in the delivery of services to the public.

Members are prohibited from the stopping, detention and search of persons under ORS 810.410 when the action is motivated by the member’s perception of the person’s race, color, sex or national origin and when the action would constitute a violation of the person’s civil rights.

Violations of policy on prohibited discrimination and/or harassment constitute extremely serious misconduct, which will result in strong disciplinary action, up to, and including discharge.

Members shall not engage in discrimination or harassment. Members shall not engage in verbal or physical conduct in violation of this directive or threaten or engage in retaliation or other unlawful harassment.

Examples of Prohibited Discrimination (344.00)

a. Verbal or Physical Conduct:
   1. Willful or negligent use of epithets or slurs against any person on the basis of membership in a protected class.
   2. Jokes, pranks and roll call banter may be prohibited if this type of verbal behavior tends to denigrate or show hostility toward an individual or group because of membership in a protected class.
   3. Unwelcome physical touching or contact.

b. Written or Graphic Material: Material that denigrates or shows hostility or aversion toward an individual or group because of protected class status and is placed in the employer’s premises or circulated in the workplace is prohibited by this policy.

c. Retaliation: Regardless of rank, no member may retaliate or threaten to retaliate against an applicant or member on the basis that he/she:
   1. Complained of discrimination and/or harassment.
   2. Testified on behalf of and/or in support of a person who complained, or is the subject of a complaint, of discrimination or harassment.
   3. Advises any applicant or member, or assisted, or participated, in any investigation, proceeding, or hearing concerning a person who complained of discrimination and/or harassment.
PROCEDURE (344.00)

Members who believe they are victims of, or are witnesses to, any form of discrimination or harassment, are urged to report the incident or file a complaint.

Supervisor Responsibilities (344.00)

a. Where a supervisor knows or has reason to know, because of his/her job duties, of unwanted or prohibited discrimination or harassment that has or is occurring, he/she must take immediate action. Tacit approval of discrimination and/or harassment by, for example, laughing and treating a situation as a joke, failing to take action or advising members not to complain until their probationary period has ended is not acceptable.

b. All supervisors are responsible for maintaining a non-hostile work environment. It is each supervisor’s job to intervene immediately to ensure that conduct, which is discriminatory or harassing, ceases and is not condoned.

c. Supervisors must remove notes, comments, posters and other material on walls, bulletin boards or elsewhere in the workplace that show hostility toward an individual or group because of membership in a protected class. It is the supervisor’s responsibility to educate members about the impropriety of these items as well as the inappropriateness of jokes, slurs or other negative verbal comments based on an individual’s membership in a protected class.

d. If a supervisor receives a complaint from a victim or a witness of discriminatory treatment that is outlined in this directive, the supervisor will report the complaint on a memorandum, including any action taken, through channels, to the supervisor’s Branch chief.

e. If there is no complaint made, but a supervisor takes action related to acts of discrimination or harassment prohibited by this directive, the supervisor will document actions taken in a memorandum to his/her RU manager.

Complaint Processing and Investigation (344.00)

a. Complaints may be submitted verbally or in writing and a complaint may also include a suggested method of resolution.

b. A violation of this directive may be reported directly to:
   1. Any supervisor within or outside the chain of command.
   2. The Personnel Division (Personnel), IAD, the Chief of Police’s Office, or IPR.
   3. The City’s Affirmative Action Office.

c. Personnel shall be responsible for ensuring that all complaints are thoroughly investigated, and shall assign the complaint for investigation.

d. All complaints will be investigated in a timely manner and information obtained will be kept as confidential as is possible. Complaints will be
investigated pursuant to established Discrimination/Unlawful Employment Practices Investigation Protocols as established by Personnel SOP and the City Attorney’s Office.

e. The complainant and accused shall be notified of the results of the investigation and action taken, if any.

f. Once the investigation is completed, the original investigative files will be stored in Personnel in accordance with City Archive Guidelines.

Nothing in this directive shall be interpreted to restrict a member’s rights under federal, state and local laws or to file a complaint with the Bureau of Labor and Industries or the Equal Employment Opportunity Commission.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (344.00)
RU managers will ensure all supervisors have the ability to identify discrimination and are thoroughly knowledgeable in what steps to take if discrimination has been identified. Supervisors have the overall responsibility to ensure a non-hostile work environment through identifying and immediately taking steps in eliminating discrimination.

344.05 BIAS-BASED POLICING
Index: Title; Discrimination, Prohibited
Refer: ORS 810.410 Arrest and Citation
       DIR 344.00 Prohibited Discrimination

POLICY (344.05)
Members are prohibited from taking any police-initiated action that relies on the race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (344.05)
It is the responsibility of members of all ranks and positions to ensure that policing activities are accomplished without the involvement of racial bias.

Supervisors will ensure that all complaints relating to racial profiling are dealt with in a timely and complete manner as prescribed by Bureau internal investigation policy and procedures.
POLICY AND PROCEDURE

345.00  EARLY WARNING SYSTEM

Index:  Title
Refer:  DIR 330.00  Internal Affairs, Complaint Investigation Process
        DIR 341.00  Disciplinary Process
        DIR 342.00  Performance Deficiencies
        DIR 343.00  Criminal Investigations of Police Bureau Employees

POLICY (345.00)

It is the policy of the Bureau to offer appropriate intervention where it is evident that behavior or medical/psychological problems exist and are likely to undermine or adversely affect the achievement of Bureau goals. The goal is to help keep an employee productive. The Early Warning Process is not discipline. The ultimate responsibility for notification and monitoring of employee conduct under this early warning policy is the employee’s RU manager.

PROCEDURE (345.00)

Member Identification (345.00)

Identification of a member for review under this early warning policy will be initiated once the employee has a record of one or more of the following conditions:

a. Five IAD numbered complaints against the member within 12 months or three within six months.
b. Two IAD numbered complaints, same category, within six months.
c. Two sustained IAD numbered complaints within 12 months.
d. Three performance deficiencies and/or service complaints within six months.
e. Any allegation of domestic violence involving the employee as the perpetrator.
f. Use of deadly force in two incidents within 12 months.
g. Two cases of unexplained failure to appear in court within 12 months.
h. Three accidents (preventable or non-preventable) in the City within 12 months.
i. Two tort claims against the member and the City of Portland, filed in court of legal jurisdiction, within 12 months.
j. Any criminal activity complaint, including any complaint resulting in a civil compromise.

Employee Behavior Review (345.00)

An Employee Behavior Review is a review and/or summary of pertinent information concerning the member’s conduct. It will include, but is not limited to, a report that contains an analysis of the following:

a. Assignments during the stipulated problem period (period of time during
which the conditions(s) that triggered the employee review occurred) and immediately prior to, if applicable, including any detached duty assignments (SERT, EDU, etc.).

b. Complaints (all on record).
   1. IAD numbered complaints.
   2. EEO complaints.
   3. Service complaints.
   4. Performance deficiencies.

c. Disciplinary actions.

d. Vehicle accidents, on-duty related; this category may be expanded to off-duty accidents if any trend is suspected or the possibility of alcohol or drug use comes into question.

e. Review of available information in Risk Management tort claims.

f. Commendations, letters of appreciation and awards.

g. Interviews with prior and present supervisors to include comments on productivity levels prior to and during the stipulated problem period.

h. Review of sick time usage.

i. Review of overtime worked prior to and during the stipulated problem period.

The Employee Behavior Review is intended to be a detailed review of a member’s entire employment history with the Bureau. While the above specified areas must be reviewed, all information discovered by the investigator which may prove helpful in the overall evaluation must be included in the report.

Notification (345.00)

The member’s RU manager will initiate or cause to be initiated a review of a member identified under the Early Warning System.

a. When any supervisor outside the member’s direct chain of command identifies a member under the early warning guidelines, that supervisor will notify the member’s RU manager through channels.

b. When a supervisor within the member’s chain of command identifies a member under the early warning guidelines, that supervisor will notify their RU manager. Such notification will be in writing with a copy forwarded to the manager’s Branch chief.

c. When an RU manager is apprised of an employee’s conduct falling within the scope of the early warning guidelines, the manager will notify the Branch chief of the member’s assigned branch, the member and any supervisors in the member’s chain of command the manager deems appropriate. Appropriateness is determined by the strict concept of “need to know.” Some information (such as medical information) is confidential and cannot be freely disseminated. The member notification will be in writing. Once the member is notified, the manager shall meet with the
employee to:

1. Explain the purpose and process of an Employee Behavior Review.
2. Discuss the factors leading to the Employee Behavior Review.
3. Attempt to identify the causes that lead to the review.

The meeting is intended to be supportive and informative, not punitive.

**Evaluation of Employee Behavior Review Report (345.00)**

Following the completion of the Employee Behavior Review report, the RU manager will meet with his/her Branch chief to review the information and determine if there is a need for some type of intervention. Interventions may include, but are not limited to:

a. Referral to identified counseling or therapy program.

b. Training, to include, but not limited to, individual enhancement training, remedial drivers training, firearms training, sensitivity training, etc.

c. Reassignment.

d. Request for a Fitness for Duty Examination.

Intervention is not disciplinary and should not be used instead of disciplinary action when disciplinary action is appropriate.

Following a decision on whether or not intervention is appropriate, the RU manager will meet with the member. The meeting may include any supervisors in the member’s chain of command the manager deems appropriate. The purpose of the meeting is to:

a. Inform the member of the result of the Employee Behavior Review and provide direction.

b. If applicable, inform the member of any required intervention.

c. Clarify and answer any questions the member may have about the behavior that has been identified as unacceptable.

d. Advise the member of Bureau resources available to assist.

**Documentation (345.00)**

The RU manager will prepare a written report of the meeting and, where applicable, the intervention taken. The report will be combined with the Employee Behavior Review report and kept in the manager’s administrative file in accordance with the Bureau Records Retention Schedule. If a report contains medical information, it must be sent to the Personnel Division, where it will be kept in the Confidential File in accordance with the Bureau Record Retention Schedule.

All involved parties will attempt to complete the documentation phase within 60 days. If there is an implementation strategy, the strategy can take as long as necessary. The member’s Branch chief is responsible to ensure that the review is completed.

Upon completion, the member’s Branch chief will notify the RU manager, if other than the member’s RU manager, which identified the member for review.


POLICY AND PROCEDURE

410.00 INJURIES/OCCUPATIONAL ILLNESS/DISABILITY/LOS

Index: Title; LOS; Injury Log
Refer: ORS 656, Worker’s Compensation
City of Portland Charter, Chapter 5
DIR 210.21 Leaves of Service
Applicable Collective Bargaining Agreements
Applicable City of Portland Human Resources Administrative Rule(s)
Attending Physician’s Report (Fund)
Disability in Line of Duty Report (Fund)
Non-Service Disability Report
Preferred Provider PPO Election Form (Fund)
Report of Earnings From Outside Employment Form (Fund, if Applicable)
State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease (Risk Mgmt.)
Work Status Report (Fund)
Worker Injury or Illness Incident Report Form (801 Form) (City Risk Mgmt.)

POLICY (410.00)

The purpose of this directive is to provide information to members about the various benefits available in the event they are injured on the job, inform members how to access those benefits, and establish injury reporting requirements. The condition under which disability, worker’s compensation or any other benefit is available is governed by federal and state law, city charter, fund rules, Human Resources Administrative Rules and applicable collective bargaining agreements. References to these benefits within this directive are for informational purposes only.

PROCEDURE (410.00)

Directive Specific Definitions

Injury Log: Used by precincts and divisions to make permanent notations of all alleged injuries received by Bureau members while on duty. An Injury Log should be treated as a medical record and maintained in a locked, secure location and its contents used by supervisors on a need-to-know basis.

Notification (410.00)

Members and supervisors can help facilitate the following processes by obtaining either Public Employees Retirement System (PERS) or Fire and Police Disability and Retirement Fund (Fund) forms and keeping them readily available should a requirement for medical treatment arise.

No copies will be made of confidential medical documents showing physician
diagnosis, treatment, prognosis or other privileged medical information. If received, confidential documents shall be forwarded to the City Risk Management (Risk Management)/Worker’s Compensation Office or to the Fund for storage in secure files.

**Fund Members (410.00)**


1. Injured fund members with approved claims for on duty injuries and Bureau approved work related to secondary employment are paid for by the Fund. Reasonable and necessary medical expenses will be paid for by the Fund for injured members with approved claims for on duty injuries and Bureau approved secondary employment. The Fund requires claims to be filed within 30 days. Members receiving service-connected disability benefits are paid at 75% of his/her base salary less 50% of outside earnings without tax deductions. After one year and medically stationary, the Fund may reduce disability benefits pay to 50% of the member’s base pay rate less outside earnings. Collective bargaining agreements provide for the continuation of medical insurance benefits for a period of 24 months after which the member becomes responsible for his/her own medical benefits.

2. Member Responsibilities:

a) Any member who sustains an on duty or secondary Bureau approved employment injury or disability requiring treatment at a medical facility or requiring them to end his/her shift prematurely will report the injury to an on-duty supervisor as soon as possible.

b) Injured members will complete the Injury Log before going off duty. If unable to do so, the on-duty investigating supervisor will make the entry.

c) If the injured or disabled member requires treatment at a medical facility or must prematurely end his/her shift, a claim will be filed with the Fund and Police Liability Management (PLM) will be notified. This is done by completing the Disability in Line of Duty Report and presenting it to his/her supervisor before going off shift. If the injured member is unable to complete the form, the on-duty investigating supervisor will do so.

d) Disabled or injured members who are treated by a physician must have his/her treating physician complete the Attending Physician’s Report and the Work Status Report. Have the physician mail the reports directly to the Fund and PLM. Additional forms may be required by the Fund.

e) A member who has been transferred to LOS status will contact the
Personnel Division (Personnel) to submit his/her Work Status Report and confirm his/her assignment before returning to work. A member who has not been transferred to LOS will submit his/her Work Status Report to his/her supervisor upon returning to work. The Work Status Report must be signed by the treating physician and forwarded through channels to the Fund.

3. Supervisor Responsibilities:
   a) If possible, a supervisor will be called to the scene where the injury occurred. If the injury requires immediate medical attention, the supervisor will report to the medical facility. The supervisor will identify and briefly interview police and civilian witnesses and make appropriate personal observations. The supervisor will determine if photographs are of benefit. If the injuries require hospital admission, the supervisor will ensure notification of the Branch chief and the Chief of Police.
   b) If the injured member is unable to complete the Injury Log in person or the Disability in Line of Duty Report, the supervisor shall perform the tasks before going off duty.
   c) The supervisor will advise the attending physician to mail the Attending Physician’s Report directly to the Fund, emphasizing this form triggers the Fund to pay for the physician’s services.
   d) The supervisor is responsible for the review and approval of the injured member’s Disability in Line of Duty Report and will fax a copy to the Fund and PLM before going off shift.
   e) The on-duty investigating supervisor will write an Investigation Memo and forward it through channels to the RU manager within 48 hours. This memo will substitute for the “Investigative Supervisors Narrative” section of the Disability in Line of Duty Report and may be called an After Action Report provided the necessary elements are included. The supervisor’s Investigation Memo is not required when no specific event aggravates a previously covered injury or occupational disease as defined by the Fund. In this circumstance, a brief commentary will be made in the narrative section explaining a resubmission or recurrence, for example: Re-injury; refer to Fund files. The memo is required when a specific event aggravates a previously covered injury or disease or causes a new injury.
   f) Investigative Memo Format:
      1) A brief narrative summary of the incident.
      2) Identity of witnesses (civilian and police) with statements.
      3) Supervisor’s observations and recommendations.
      4) Photographs or reference to them, if made.
5) Attach the following:
   (a) Disability in Line of Duty form.
   (b) A copy of the Injury Log entry.
   (c) Operational report(s).
   (d) Medical records.
      (1) Medical restriction records stating what the member may or may not do in regards to employment.
      (2) No confidential medical records shall be included in this packet.

  g) Upon returning to work, the injured member will present his/her completed Work Status Report. The supervisor will forward the report to the Chief of Police’s Office, through channels.

4. RU Manager Responsibilities:
   a) Ensure that all reports are complete and signed prior to sending to the Branch chief.
   b) Leave Of Service Procedures.
      1) LOS is an acronym for Leaves of Service generally due to long term disability or illness. It denotes an administrative procedure to account for members who are not receiving compensation from the Bureau’s budget and permits the filling of the budgeted position. The member placed on LOS would, upon returning to work, be placed in the personnel pool for assignment.
      2) LOS is not applicable in instances where the member is authorized voluntary leave for reasons other than immediate and unforeseen personal illness or injury. Prior to submitting the transfer request for a member to LOS status, the RU manager is responsible for the following work availability notification:
         (a) Notifying the member of the pending LOS action.
         (b) Advising the member that upon receipt of medical certification of fitness to perform previously assigned tasks, they will be returned to work in accordance with applicable procedures.
         (c) When the above notifications have been completed, RU managers will document the notifications in an Inter-office Memo submitted through channels to Personnel requesting LOS status.
         (d) When a member returns from LOS, the RU manager shall:
            (1) Depending on the type of duty and the length of absence, provide refresher training. For uniform members, within three days of returning to work from an
absence of three or more months, the member will be provided with refresher training in defensive tactics, baton and firearms. The returning member will be expected to re-qualify with his/her service weapon, at the precinct level.

5. Branch Chief Responsibilities:
   a) If a LOS request is made, ensure that the LOS notification for work availability is documented in the LOS memo.
   b) Prepare a Personnel Action Form and forward it with a copy of the LOS memo to Personnel for publication in a Personnel Order.
   c) Ensure copies of the Investigative Memo are sent to Personnel, Fiscal and the Fund.
   d) Ensure copies of the Work Status Report are sent to Personnel.

6. Personnel Division Responsibilities:
   a) Prepare any necessary Personnel Orders.
   b) Forward Work Status Report to the Fund.

7. Disability Liaison Responsibilities:
   a) Acts as a resource for Bureau Members who have questions about disability benefits.
   b) Acts as a liaison with members, Fire & Police Disability and Retirement Fund and Bureau of Human Resources.
   c) Communicates with the Bureau to coordinate early return to work for limited duty members.
   d) Acts as a resource to Bureau members who need referrals to other programs.
   e) Maintains contact with members unable to work due to disability status.
   f) Acts as a support and resource for injured Bureau Members.

b. Occupational Disease Disabilities: Current Bureau employees who are members of the Fund may be eligible for occupational disability benefits through the Fund if they are unable to perform his/her duties because of certain conditions. Those conditions are identified in section 5-306 of the Portland City Charter as heart disease (with five years service), hernia of abdominal cavity or diaphragm, AIDS, AIDS-related complex, tuberculosis, hepatitis B, or pneumonia (except terminal pneumonia). Medical expenses for occupational disabilities may be paid by the Fund consistent with the Portland City Charter and Fund rules.

1. Member Responsibilities:
   a) Complete the Injury Log before going off duty. If unable to do so, the on-duty investigating supervisor will do so. If the disability is diagnosed while off duty, the member, co-worker or family may notify the member’s supervisor to make the entry.
b) The injured member shall cause the Disability in Line of Duty Report to be filed before going off shift, if unable to do so, the on-duty investigating supervisor will complete the form.

c) The disabled member must have his/her treating physician complete the Attending Physician’s Report. This report is confidential and should be sent directly to the Fund by the attending Physician.

d) A Work Status Report will, unless specifically waived by the Fund, be completed if the disability continues into a subsequent pay period.

e) Before returning to work the disabled member will complete the Work Status Report and have it signed by the treating physician, and submit the form to his/her supervisor.

2. Supervisor Responsibilities: Examine the above reports for completeness and forward originals through channels to the RU manager.

3. RU Manager Responsibilities: Forward original reports to the Branch chief.

4. Branch Chief Responsibilities: Forward copies to Personnel, Fiscal, PLM and the originals to the Fund.

c. Non-Service Connected Disability:

1. Member Responsibilities:

   a) Promptly notify or leave word for the immediate supervisor that sick leave is going to be used and why. If no supervisor is available, the member shall ask for the acting supervisor or most senior person present to take the report. This person will complete a sick leave report and notify a supervisor as soon as possible.

   b) If the member intends to pursue disability benefits, complete a Non-Service Disability Report, Attending Physician’s Report and Work Status Report.

   c) Members who are granted an unpaid leave of absence for non-service connected medical reasons will be notified if they are eligible for COBRA by the City’s Benefits Office. Under COBRA, a member may self-pay premiums in order to continue health benefits coverage, up to the maximum period of time established by law (generally 18 months). Members on Family Medical Leave may qualify for continuation of health benefits consistent with Human Resources Administrative Rule 6.05, and federal and state law.

   d) Upon returning to duty, the member will turn in the completed Work Status Report to his/her supervisor.

2. Supervisor Responsibilities: If a Non-Service Disability Report was filed, the member will not be allowed back to work until the report is
signed by all listed members. No Investigative Memo is needed.

3. RU Manager Responsibilities: Forward original reports to the Branch chief.

4. Branch Chief Responsibilities: Forward original forms to the Fund, copies to Personnel and Fiscal for processing.

5. Personnel Division Responsibilities:
   a) When appropriate, notify the member’s RU manager when the member can return to work.
   b) After processing confidential medical records, forward to the Fund, keeping no copies.

PERS Members (410.00)

   a. Compensable Injuries: Current Bureau employees who are PERS members and who have an accepted worker’s compensation claim may be eligible for compensation as provided under Oregon’s Workers Compensation Law (ORS 656.001-656.990). Occupational disease, as defined in ORS 656.802, is considered an injury for purposes of the Workers Compensation Law. Current Bureau employees who are PERS members and who have an accepted worker’s compensation claim may be eligible for continuation of City-paid medical, dental, vision, and life insurance premiums, as provided under Oregon law (ORS 743.530) and applicable collective bargaining agreements.

1. Member Responsibilities:
   a) Members who sustain an on duty injury which does not result in loss of wages or medical bills are to complete the Worker Injury or Illness Incident Report Form and forward it to his/her supervisor.
   b) Any member who sustains an on duty injury or disability requiring treatment at a medical facility or requiring him/her to end his/her shift prematurely will immediately report the injury to an on-duty supervisor, if possible.
   c) Complete the Injury Report before going off duty. If unable to do so, the on-duty investigating supervisor will do so.
   d) If the injured or disabled member requires medical treatment at a medical facility or must end his/her shift prematurely, a claim must be filed with Risk Management. This is done by completing the Worker’s Section of the State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease Form and turning it in to his/her on-duty supervisor before going off shift. If unable to do so, the member’s on-duty investigating supervisor will complete the form.
   e) In serious disability situations, Risk Management/Worker’s Com-
Pension Office must be notified within 48 hours.

f) Upon returning to work after absence from an on duty injury or physician treatment, the member will have the attending physician or practitioner complete Section C of the Work Release Form and provide the form to his/her supervisor. The member will not return to work without his/her physician’s signature on this form. If any member is having difficulty obtaining a release to return to work, he/she should contact Risk Management immediately. The Bureau’s representative can assist in obtaining the release.

2. Supervisor Responsibilities:
   a) For members who suffer an injury which does not result in loss of wages or incur medical bills, ensure that Risk Management’s Incident Report Form is complete and signed before forwarding to RU manager.
   
b) If possible, a supervisor will be called to the scene where the injury occurred. If the injury requires immediate medical attention, the supervisor will report to the medical facility. The supervisor will identify and briefly interview police and civilian witnesses and make appropriate personal observations. The supervisor will determine if photographs are of benefit. If the injuries require hospital admission or in serious disability situations, the supervisor will notify Risk Management within 24 hours, sooner, if possible, and ensure notification of his/her Branch chief or the Chief of Police.
   
c) If the injured member is unable to complete the Injury Log in person or the State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease Form, the supervisor shall perform the tasks for the member before going off duty.
   
d) The supervisor is responsible for reviewing the injured member’s State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease Form and Injury Log and forwarding the original Worker’s and Employer’s Report of Occupational Injury or Disease Form through channels to the RU manager and fax a copy to Risk Management before going off shift.
   
e) The on-duty investigating supervisor will write an Investigation Memo and forward it to his/her RU manager within 48 hours. This memo will be in addition to the Worker’s and Employer’s Report of Occupational Injury or Disease Form. The purpose of the Investigation Memo is to verify the validity of the injury alleged to be in the line of duty. The memo will consist of the following format:
1) A brief narrative summary of the incident.
2) Identity of witnesses (civilian and police) and statements.
3) Supervisor’s observations and recommendations.
4) Photographs or reference to them, if applicable.
5) All applicable reports, including:
   (a) Copy of State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease Form.
   (b) A copy of the Injury Log entry.
   (c) Operational report(s) (i.e., Traffic Collision Report, Special Report, etc.).
   (d) Medical records.
      (1) Medical restriction records stating what the member may or may not do in regards to employment.
      (2) No confidential medical records will be included in this packet.
   f) Under no circumstances will a supervisor allow a member who was absent due to an on duty injury or illness, which was treated by a licensed physician or practitioner, to return to work without a Work Release Form signed by a licensed physician or practitioner. Once a signed Work Release Form is received, the member’s supervisor will complete the Employer portion of the Work Release Form and present the member’s copy to the member. The Work Release Form will then be forwarded to the RU manager through channels.
3. RU Manager Responsibilities:
   a) After review, forward incident Report Forms to Risk Management.
   b) Forward the Investigation Memo’s packet to the Branch chief.
   c) When members suffer an illness or injury which renders them incapable of performing assigned tasks for an extended period of time, RU managers have the option of requesting the member be transferred to LOS status in order that another member may be assigned to maintain appropriate staffing levels.
   d) LOS procedures: Refer to procedures for Fund members, except that the Work Release Form would replace the Notice of Recovery from Disability form.
4. Branch chief, Loss Control manager and Personnel Responsibilities:
   Refer to Fund procedures. Personnel will forward Continued Disability paperwork to Risk Management.
   b. Off Duty Illness/Injury: Medical expenses are not paid by Risk Management. In addition, medical, dental, vision and City paid life insurance premiums are not paid by Risk Management.
1. Member Responsibilities:
a) Promptly notify or leave word for the immediate supervisor that sick leave is going to be used and why. For precincts, if no supervisor is available, the member shall report to the desk clerk. The desk clerk taking the report will complete a sick leave report and notify a supervisor as soon as possible. For other divisions or units, if no supervisor is available, the member shall ask for the acting supervisor or most senior person present to take the report. This person will notify a supervisor as soon as possible.

b) The member will inform the supervisor in his/her unit of the estimated date of return. The member may be required by his/her supervisor to obtain a physician’s release before returning to work. The attending physician or practitioner will complete Section C of the Work Release Form.

c) Members who are granted an unpaid leave of absence for non-work related medical reasons will be notified if they are eligible for COBRA by the City’s Benefits Office and may self-pay premiums in order to continue health benefits coverage, up to the maximum period of time established by law (generally 18 months). Members on Family Medical Leave may qualify for continuation of health benefits consistent with Human Resources Administrative Rule 6.05, and federal and state law.

2. Supervisor Responsibilities:
   a) When a member has sustained an off the job injury or illness that has the potential of being aggravated if they return to work, his/her supervisor may prohibit his/her return to work until a Work Release Form is signed by a licensed physician or practitioner. However, a supervisor may, for non-serious types of absence (colds, flu, dental work, etc.) waive the work release requirement or assign the member to restricted tasks.

b) The member will have the attending physician or practitioner complete Section C.

3. RU Timekeeper Responsibilities:
   a) Immediately notify Fiscal’s Payroll Section of any time loss due to on duty injury.

**Probationary Members (410.00)**

When a probationary member is off work or assigned to limited duty for an extended period of time, his/her training is substantially affected. To help maintain a high level of training for these probationary members, his/her probationary period may be extended for the amount of time they were off work or assigned to limited duty and not available for normal training and evaluation. The following policy shall be in effect immediately:
a. Sworn Members.
   1. When a probationary member is off duty due to an on duty or off the job injury for three or more weeks, or assigned to limited duty status for a period of three consecutive weeks or longer, or if either of these conditions is expected, his/her supervisor will notify Training in writing with the last day the member worked and the circumstances of absence or assignment to limited duty. This notification is to be made at the time absences are approved or after injuries or illnesses have occurred and the medical prognosis indicating length of recovery time.
   2. When the probationary member returns to duty, his/her supervisor will notify Training in writing as to the date he/she returned to duty.
   3. Training will make recommendations to the Chief, via Personnel, as to whether probation will be extended.
   4. Personnel shall be responsible for coordinating any extension of probationary period, including notifying and acting as a liaison with bargaining units and obtaining concurrence with the Director of Human Resources.

b. Non-Sworn Members.
   1. When a non-sworn probationary member is off duty for an extended period of time or is expected to be off duty, the RU manager may recommend the member’s probation period be extended, via Personnel, to the Chief of Police.
   2. Personnel shall be responsible for coordinating any extension of probationary period, including notifying and acting as a liaison with bargaining units and obtaining concurrence with the Director of Human Resources.

Reserve Police Officers (410.00)

Many medical expenses are paid for Reserve members on duty injuries. For additional information, contact Risk Management.

a. Reserve Member (Reserve) Responsibilities:
   1. Any Reserve who sustains an on duty injury requiring treatment at a medical facility or requiring them to end his/her shift prematurely will as soon as possible report the injury to an on-duty regular supervisor, and, if possible, the Reserve Coordinator.
   2. Complete the Injury Log before going off duty. If unable to do so, the on-duty investigating supervisor will do so.
   3. If the injured or disabled Reserve requires treatment at a medical facility or must end his/her shift prematurely, a claim must be filed with Risk Management. This is done by completing the Worker’s Section of the State of Oregon Worker’s and Employer’s Report of Occu-
pational Injury or Disease form and turning it into his/her on-duty supervisor before going off shift. If unable to do so, the Reserve’s on-duty investigating supervisor will complete the form.

4. In serious disability situations, Risk Management must be notified within 48 hours.

5. Upon returning to work after absence from an on duty injury or physician treatment, the Reserve will have the attending physician or practitioner complete Section C of the Work Release Form and provide the form to his/her supervisor. The Reserve will not return to work without his/her physician’s signature on this form. If any Reserve is having difficulty obtaining a release to return to work, he/she should contact Risk Management immediately. The Bureau’s representative can assist in obtaining the release.

b. Supervisor Responsibilities:

1. If possible, a supervisor will be called to the scene where the injury occurred. If the injury requires immediate medical attention, the supervisor will report to the medical facility. The supervisor will identify and briefly interview police and civilian witnesses and make appropriate personal observations. The supervisor will determine if photographs are of benefit. If the injury requires hospital admission overnight, the supervisor will notify PLM and the Reserve Coordinator, and ensure notification of his/her Branch chief or the Chief of Police. Ensure that in serious disability situations that Risk Management has been notified within 48 hours.

2. If the injured Reserve is unable to complete the Injury Log in person or the Worker’s and Employer’s Report of Occupational Injury or Disease form, the supervisor shall perform the tasks for the Reserve before going off duty.

3. The supervisor is responsible for reviewing the injured Reserve’s Worker’s and Employer’s Report of Occupational Injury or Disease form and Injury Log and forwarding the original Worker’s and Employer’s Report of Occupational Injury or Disease form through channels to the Reserve Coordinator and faxing a copy to Risk Management before going off shift.

4. The on-duty investigating supervisor will write an Investigation Memo and forward it to the Reserve Coordinator or designee within 48 hours. This memo will be in addition to the Worker’s and Employer’s Report of Occupational Injury or Disease form. The purpose of the Investigation Memo is to verify the validity of the injury alleged to be on duty. The memo will consist of the following format:

a) A brief narrative summary of the incident.

b) Identity of witnesses (civilian and police) and statements.
c) Supervisor’s observations.
d) Photographs or reference to them, if applicable.
e) All applicable reports, including:
   1) Copy of State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease form.
   2) A copy of the Injury Log entry.
   3) Operational report(s), (i.e., Traffic Collision Report, Special Report, etc.).
   4) Medical Records.
      (a) Medical restriction records stating what the Reserve may or may not do in regards to employment.
      (b) No confidential medical records will be included in this packet.

c. Reserve Coordinator Responsibilities:
   1. Forward the Investigation Memo packet to the Branch chief.
   2. Under no circumstances will the Reserve Coordinator allow a Reserve who was absent due to an on duty injury or illness which was treated by a licensed physician or practitioner return to work without a Work Release Form signed by a licensed physician or practitioner.
   3. Once receiving the physician signed Work Release form, the Reserve Coordinator will complete the Employer portion of the form and present the member’s copy to the Reserve.

Volunteers (410.00)
Volunteers are not customarily covered for injuries or illness; refer to DIR 630.30.

Disposition of Forms Summary (410.00)
   1. Copies authorized.
   2. With no restrictions: Retained in the member’s files at the RU level for two fiscal years.
   3. With permanent restrictions: Retained in Personnel files, Risk Management files and the City’s Personnel files with limited access.
   4. With temporary or limited restrictions: Retained in the Personnel files until another Work Release Form is presented which removes the restrictions.
   5. From prior restrictions: Retained in the member’s files at the RU level for two fiscal years.
   6. Flow: Member, attending physician’s signature, supervisor or Personnel (if on LOS), RU manager and the Branch chief.
b. Disability in Line of Duty Form.
1. Copies authorized.
2. Flow: Member, supervisor, supervisor faxes copy to the Fund and PLM and includes the original in the investigative packet, RU manager, and the Branch chief.

   1. No copies authorized.
   2. Flow: Member, attending physician, physician signs and mails directly to the Fund.

d. Continued Disability Report Form.
   1. Copies authorized.
   2. Flow: Member, attending physician’s signature, supervisor, RU manager, Branch chief, Personnel and the Fund.

e. State of Oregon Worker’s and Employer’s Report of Occupational Injury or Disease.
   1. Copies authorized.
   2. Flow: Member, supervisor, supervisor faxes copy to Risk Management and PLM, the original included in the investigative packet to RU manager and the Branch chief.

f. Worker Injury or Illness Incident Report Form.
   1. Copies authorized.
   2. Flow: Member, supervisor, RU manager, and Risk Management to retain for 5 years.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (410.00)

Supervisors will investigate all on duty injuries and ensure appropriate notifications are made. Supervisors will also ensure all appropriate paperwork is initiated, received and forwarded at the time of injury and upon a member’s return to work as required. The Reserve Coordinator will ensure all appropriate paperwork is completed and forwarded as required. RU managers will ensure his/her supervisors and timekeepers have followed procedures and ensure all appropriate paperwork is forwarded to the Branch chief. RU managers will also coordinate with Personnel regarding available limited duty positions within his/her RU and when placing a member on LOS. The Personnel manager will coordinate with RU managers, Training and the Loss Control manager as necessary. The Personnel manager will ensure all paperwork is processed and forwarded as required.

412.00 EMPLOYEE RETRAINING PROGRAM

Index: Title;
Refer: Oregon Administrative Rule 259-008-0025
       Directive 1020.00 Firearms
       Directive 210.05 Field Training Program
POLICY AND PROCEDURE

POLICY (412.00)

Sworn and non-sworn members may have absences from duty resulting from injury, other service-connected or non-service connected disability, military, educational and personal leave, resignation and re-hire or other reasons. The Bureau has a responsibility to provide training to members returning to work after an absence to ensure the safety of officers, the public and to maintain a high level of service delivery. This policy mandates required training following absences from duty.

PROCEDURES (412.00)

Returning to Full Duty Status (412.00)

a. Sworn members returning to full duty status after an absence of two and one half years or less may be required to complete all or portions of the following training:
   1. Qualify or re-certify with their Bureau authorized primary sidearm, other weapon(s), Taser or other equipment as required by directive.
   2. Complete any other training as required by directive, special or general order or city policy.
   3. May be required to complete the Bureau’s Advanced or Detective Academy and/or any other training as determined by the appropriate RU manager, Training Division manager and Branch chief.
   4. Members returning to duty may be required to work with another non-probationary member for a re-orientation period. The relief commander and detail sergeant will determine the length of the re-orientation period depending on the member’s progress.
   5. The relief commander and detail sergeant may recommend to the RU manager that the member be required to attend the Bureau’s Advanced Academy, Detective Academy or other training as necessary to meet any identified training deficiencies.
   6. This re-orientation period will be outside of the evaluation and reporting requirements of the Field Training Program in DIR 210.05.

b. Sworn members returning to full duty status after an absence of over two and one half years but less than five years will be required to complete the following training:
   1. Qualify or re-certify with their Bureau authorized primary sidearm, other weapon(s), Taser or other equipment as required by directive.
   2. Complete any other training as required by directive, special order, or city policy.
   3. The DPSST Career Officer Development course or other training required by DPSST to regain police certification.
   4. The Portland Police Bureau Advanced and/or Detective Academy.
   5. Any other training as directed by the RU manager, Training Division manager and Branch chief.
6. A re-orientation period working with another non-probationary member. The relief commander and detail sergeant will determine the length of the re-orientation period depending on the member’s progress. The relief commander and detail sergeant may recommend to the RU manager that the member be required to complete other training as necessary to meet any identified training deficiencies.

7. The appropriate Branch chief may grant a waiver of attendance at the Advanced or Detective Academy on a recommendation from the RU and Training Division managers.

8. This re-orientation period will be outside of the evaluation and reporting requirements of the Field Training Program in DIR 210.05.

c. Sworn members returning to duty status after an absence of five years or more will be required to complete the following training:

1. Qualify or re-certify with their Bureau authorized primary sidearm, other weapon(s), Taser or other equipment as required by directive.
2. Complete any other training as required by directive, special order, or city policy.
3. The DPSST Basic Police Course or other training required by DPSST to regain police certification.
4. The Portland Police Bureau Advanced and/or Detective Academy.
5. Any other training as directed by the appropriate RU manager, Training Division manager and Branch chief.

6. A re-orientation period working with another non-probationary member. The relief commander and detail sergeant will determine the length of the re-orientation period depending on the member’s progress. The relief commander and detail sergeant may recommend to the RU manager that the member be required to complete other training as necessary to meet any identified training deficiencies.

7. The appropriate Branch chief may grant a waiver of attendance at the Bureau’s Advanced or Detective Academy on a recommendation from the RU and Training Division managers.

8. This re-orientation period will be outside of the evaluation and reporting requirements of the Field Training Program in DIR 210.05.

**Non-Sworn Returning to Duty (412.00)**

a. Non-sworn members returning to duty after absence will be required to:

1. Complete any training as required by directive, special or city policy.
2. Complete any other training as directed by the appropriate immediate supervisor, RU manager and Branch chief.
POLICY AND PROCEDURE

415.00 RETURN TO WORK POLICY
Index: Title:
Refer: City Administrative Rule 7.08
ORS 659A.043
ORS 659A.046

POLICY (415.00)
The purpose of this directive is to provide information to members about the City of Portland’s policy to establish guidelines for the Bureau for providing return to work opportunities for sworn members who are recovering or have recovered from illness or injury and are restricted because of the illness or injury or members who are temporarily limited because of pregnancy-related condition(s).

PROCEDURE (415.00)
Directive Specific Definitions
Transitional Duty: Temporary work opportunities for members who are recovering from illness or injury and are not medically stationary but are expected to return to full duty within a determined period of time or who are temporarily limited due to pregnancy. If a transitional duty assignment is available, a member who is awaiting a restricted duty assignment may be eligible for an available Transitional Duty assignment at the discretion of the Bureau.

Restricted Duty: Work opportunities for members whose medical restrictions prohibit the member from performing front-line police work on a permanent basis. Typically the member has been declared medically stationary by a qualified medical professional and has been released to perform a restricted duty assignment. However, FPDR may conclude based on medical evidence that the member’s condition and abilities make the member medically eligible for Restricted Duty.

Job analysis: Includes two components: (1) Job tasks within a job classification identified by the Bureau that may be performed by a member who is eligible for a Transitional Duty or Restricted Duty assignment; and (2) a physical and/or mental capacities assessment of a Transitional Duty or Restricted Duty assignment. The physical and/or mental capacities assessment is typically facilitated by FPDR or the City’s Risk Management Division.

Medically Stationary: The term means that no further material improvement can reasonably be expected from medical treatment or the passage of time. It does not mean that a member’s condition has stopped deteriorating or has been stabilized. It means that in terms of reasonable medical probability, the condition is not going to improve.

Phase One: Refers to the launch phase of the Return to Work Restricted Duty Program, which included the identification, notification, and return of eligible members. Potentially eligible members were first formally notified of Return to Work efforts in June 2006.
Return to Work Coordinator: The BHR contact between the Bureau, FPDR, the member and qualified medical professionals as necessary who is assigned to facilitate the return-to-work program for medically stationary members unable to return to their job at injury.

The Bureau will identify a limited number of Transitional Duty and Restricted Duty assignments within sworn classifications for members with medical restrictions. The Bureau will work with the member, the member’s medical providers, the FPDR, the City’s Risk Management Division and Bureau designated physicians as necessary in determining a member’s ability to perform the tasks of the available assignments.

a. The Bureau will designate a representative to coordinate Return to Work efforts for members on Transitional Duty.

b. Due to the complexity of the legal issues involved, BHR will designate a Return to Work Coordinator to facilitate the process for Restricted Duty.

Transitional Duty Requirements

a. The Bureau will identify a limited number of assignments in the Bureau suitable for members with temporary restrictions.

b. For members who are temporarily limited because of injury or illness and are receiving disability benefits from FPDR, FPDR is responsible for coordinating review of the job analysis by a qualified medical professional to determine if the Transitional Duty assignment is within the member’s limitations. The Bureau reserves the right to require the member to be examined by a qualified medical professional of the Bureau’s choosing, at its expense.

c. For members who are temporarily limited because of work-related injury or illness and are covered by the state workers’ compensation system, the Bureau will work with the City’s Risk Management Division and BHR to assess and meet its obligations under state law, Human Resources Administrative Rule 7.08, and other applicable City policies and collective bargaining agreement provisions.

d. For members who are limited because of pregnancy or who are temporarily limited by injury or illness unrelated to work and are not eligible for non-service connected disability from FPDR or workers’ compensation, the Bureau will work directly with the member and the member’s health care provider to determine the suitability of a Transitional Duty assignment.

Transitional Duty Assignments

Transitional Duty assignments may be reverted at any time to full duty assignments due to the operational and business needs of the Bureau, including the need
to provide efficient and effective public safety services, budget or staffing require-
ments.

a. Duration of Transitional Duty Assignments

1. Transitional Duty assignments are made with the anticipation the member will return to full duty within a determined period of time. Transitional Duty assignments, which will be confirmed in writing, are for 90 calendar days or less, except for members who are restrict-
ed because of pregnancy. With the approval of the designated rep-
resentative from the Bureau the Transitional Duty assignment may be extended for up to 90 calendar days. Approval for an extension requires the member to present substantive medical information that the member will be fully recovered within an additional 90 calendar day period of time. Under no circumstances will a member be al-
lowed to remain on a transitional duty assignment beyond 180 calen-
dar days.

2. The duration of Transitional Duty assignments provided to members because of pregnancy-related restrictions will be made on a case-by-
case basis.

b. Eligibility for Transitional Duty Assignments

1. A member who is temporarily limited due to illness or injury is eli-
gible if:

   a) The member provides the Personnel Division or the FPDR Liai-
son with a signed job analysis from the treating physician autho-
izing a return to an available transitional duty assignment. The
physician must approve the member’s ability to perform the re-
quirements of the transitional duty assignment.

   b) The member has been determined by a qualified medical profes-
sional to be progressing through a fixed recovery period that is
expected to be no longer than 90 calendar days.

   c) The member is otherwise qualified and suitable for the transitional
duty assignment as determined by a designated representative of
the Bureau and FPDR Liaison.

   d) The member has signed a “Transitional Duty Contract” if required
by the Bureau.

   e) The assignment is available and meets the operational needs of
the Bureau.

c. A member with an accepted workers’ compensation claim under state law
is eligible to return to work in accordance with state law, City Human
Resources Administrative Rule 7.08 and other applicable City policies
and collective bargaining agreement provisions.

d. A member who is temporarily limited because of pregnancy-related condi-
tions will submit a written request to the Personnel Division or the FPDR
Liaison and provide a job analysis authorizing the member to perform a transitional duty assignment.

Process to Return to Full Duty Assignments
a. Any member on a Transitional Duty assignment determined to be released to full duty must submit a release from a qualified medical professional. A member who is on service connected disability, non-service connected disability or workers’ compensation is expected to comply with FPDR or Risk Management requirements, if any.
b. Members are expected to notify the Personnel Division or the FPDR Liaison immediately when they are released to return to full duty.
c. The Bureau may require an Independent Medical Evaluation (IME) or Fitness for Duty Evaluation prior to the member’s return.

Member Responsibilities
a. Members assigned to Transitional Duty will notify their immediate supervisor and the Personnel Division or the FPDR Liaison of any change in their condition that modifies the original medical release.
b. Members receiving disability benefits from FPDR or Workers’ Compensation payments are expected to inform FPDR or Risk Management of any changes in their condition.
c. Members assigned to transitional duty are expected to meet the conduct and performance expectations of the assignment.
d. Members who are considering refusing a transitional duty assignment that is within their restrictions should consider the potential consequences of a refusal. Refusal could subject the member to disciplinary action and ineligibility for disability benefits. Disability benefits or workers’ compensation payment decisions are solely within FPDR’s or Risk Management’s jurisdiction.

Restricted Duty Assignments
a. The Bureau may identify a limited number of Restricted Duty assignments in the Bureau suitable for a member whose restrictions are of a permanent nature and prevent the member from performing front-line fire fighting or police work.
b. The Return to Work Coordinator is responsible for coordinating the return to work process for members who are eligible for Restricted Duty. This includes facilitation with the member, FPDR, qualified medical professionals and the Bureau, review of the job analysis, evaluation of potential ADA issues, using the appropriate return to work procedures and drafting offer letters.
c. For members who are covered by the state workers’ compensation system, the Bureau will work with the City’s Risk Management Division and BHR to assess and meet its obligations under state law, Human Resources Administrative Rule 7.08, and other applicable City policies and collective bargaining agreement provisions.

**Duration of Restricted Duty Assignments**

Although Restricted Duty assignments have no specified time limit, the Chief of Police retains the right to impose a specified time limit at any time. Restricted Duty assignments may be reverted to full duty assignments because of the operational and business needs of the bureau, including the need to provide efficient and effective public safety services, budget or staffing requirements.

While in a Restricted Duty assignment, members may be required to submit medical updates on an annual basis, or when a question arises such as the need to have a qualified medical professional verify that the member is physically or mentally capable of returning to full duty. A report from a qualified medical professional must be submitted to the Return to Work Coordinator.

**Eligibility for Restricted Duty Assignments**

Eligibility to participate in the Restricted Duty program begins when:

a. A determination has been made that the member is not expected to or is unable to return to the job at injury.

b. The member is medically stationary or otherwise deemed medically eligible for a Restricted Duty assignment by FPDR.

c. The member is a permanent City employee with Civil Service status in the rank of the available assignment and has successfully completed probation.

d. For members with an accepted workers’ compensation claim under state law, the member has been deemed eligible to return to work in accordance with state law, City Human Resources Administrative Rule 7.08 and other applicable City policies and collective bargaining agreement provisions.

e. For members receiving disability benefits from FPDR, the member is receiving disability benefits under the new plan in effect on July 1, 1990.

f. Other criteria include:

1. The Return to Work Coordinator receives reliable medical information indicating that the member is able to perform the requirements of the restricted duty assignment.

2. The assignment is available and meets the operational needs of the Bureau.

3. The member is otherwise qualified and suitable for the assignment. Certain assignments may require additional selection criteria for placement eligibility.
POLICY AND PROCEDURE

Order of Eligibility for Restricted Duty Assignments

a. Members who meet the requirements as identified above will be eligible for an available restricted duty assignment in the following order:

1. ADA qualified individuals entitled to a reasonable accommodation and/or a sworn member who has an accepted workers’ compensation claim under state law, and is eligible for reemployment rights under ORS 659A.046.
2. A member who is not ADA qualified but is receiving service connected disability benefits from FPDR.
3. During Phase One of the Restricted Duty Program, the order of eligibility for members who are not ADA qualified and are receiving service connected disability will be members who are on leave the longest amount of time due to injury (first out, first in).

b. During Phase One of the Restricted Duty Program, the order of eligibility for members who are not ADA qualified and are receiving service connected disability will be members who are:

1. Currently DPSST certified or will be within 6 months.
2. On leave the least amount of time due to injury (last out, first in).

c. A member who is not ADA qualified and is receiving non-service connected disability benefits. During Phase One of the Restricted Duty Program, determinations of placement order for members who are not ADA qualified but receiving non-service connected disability benefits will follow the same order described above.

1. The ending date of Phase One and effective date of Phase Two of the Restricted Duty Program will begin on a date certain as determined by the Return to Work Coordinator, the Chief of Police and the FPDR Director.
2. Once Phase Two is in effect, the order of eligibility for Restricted Duty assignments at Bureau will be that ADA qualified individuals entitled to a reasonable accommodation and/or a sworn member who has an accepted workers’ compensation claim under state law, and is eligible for reemployment rights under ORS 659A.046 are first eligible. Otherwise, the order of eligibility is that so long as all other requirements have been met, the member who was first released to Restricted Duty status shall be first eligible for placement.

Process to Return to Full Duty Assignments

a. Any member on a Restricted Duty assignment determined to be released to full duty must submit a release from a qualified medical professional. A member who is receiving disability benefits from FPDR or workers’ compensation payments is expected to comply with FPDR or Risk Management requirements, if any.
b. Members are expected to notify the Personnel Division or the FPDR Liaison immediately when they are released to return to full duty.

c. The Bureau may require an Independent Medical Evaluation (IME) or Fitness for Duty Evaluation prior to the member’s return.

d. Member Responsibilities.

1. Members assigned to a Restricted Duty assignment will notify their immediate supervisor and the Personnel Division or the FPDR Liaison of any change in their condition that modifies the original medical release.

2. Members assigned to Restricted Duty are expected to meet the conduct and performance expectations of the restricted duty assignment.

3. Members who are considering refusing a Restricted Duty assignment that is within their restrictions should consider the potential consequences of a refusal. Refusal could result in ineligibility for disability benefits. Disability benefits or workers’ compensation payment decisions are solely within FPDR’s or Risk Management’s jurisdiction. Refusal could subject the member to disciplinary action or other employment actions.

General Provisions Pertaining to Transitional Duty and Restricted Duty Assignments

It is in the best interests of the affected member, coworkers, the Bureau and the community that members with medical restrictions do not engage in conduct that could possibly hinder their recovery or could jeopardize the safety and well being of the member or a member of the public.

The Bureau has the authority to require an independent medical examination or Fitness for Duty examination of a member at any time by a qualified medical professional of the Bureau’s choosing at its expense. For members being considered for a Restricted Duty assignment, the Return to Work Coordinator also is authorized to require an examination, in consultation with the Bureau.

The availability of a restricted duty assignment does not affect a member’s eligibility for a leave of absence for an injury or illness that is sustained in the line of duty or any other form of leave that the member may be eligible for under City Administrative Rules and state or federal law (i.e., Family and Medical Leave Act).

A member who is in a Transitional or Restricted Duty assignment for medical reasons is not prohibited from applying for promotion through the regular City civil service process. A member who is otherwise qualified may be eligible for promotion if the member is able to perform the essential functions of the assignment, the member is released to perform the essential functions by an appropriate medical professional prior to the effective date of the promotion, and the available
assignment is in the rank in which the promotional vacancy exists.

This Return to Work program shall not be construed as recognition by the City of Portland, the Portland City Council, City management, or City employees or agents that any employee who participates in the program is a qualified individual with a disability as defined by the Americans with Disabilities Act (ADA) of 1990 or state law.

If an employee sustains an injury or illness that results in a disability under the ADA, it is the employee’s responsibility to inform his or her supervisor, the Bureau’s Personnel manager, or a person in a responsible management position that the member believes that a disability under the ADA exists and that a reasonable accommodation is necessary to perform the essential functions of his or her job. City ADA processes and forms are required and can be found online at the city’s website.

**Termination of Eligibility for Return to Work Program**

After the effective date of Phase Two of the Restricted Duty Program is in effect, a member’s eligibility for this program may end when one of the following events occurs.

a. For members under the workers’ compensation system, any of the events described in ORS 659A.043 or 659A.046 (Reinstatement/Re-employment rights for injured workers).

b. For FPDR members.
   1. A medical determination is made that the member cannot return to reemployment at any sworn assignment with the Bureau.
   2. If unable to return under the RTW program, the member accepts employment with another City bureau or non-City employer.
   3. If the member is unable to return under the RTW program, FPDR has determined the member is eligible for and the member participates in vocational assistance for jobs outside of sworn law enforcement or sworn fire service professional jobs at the Bureau.
   4. The worker refuses a bona fide offer from the Bureau of a sworn Transitional Duty or Restricted Duty assignment.
   5. Five years elapse from the date of injury.
   6. If the member is terminated or separated for any reason other than lack of an available and suitable Transitional Duty or Restricted Duty assignment at the Bureau.
   7. A decision that a member is not eligible for the RTW program by the Bureau for any other reason may be made on a case by case basis.
600.00 AIRCRAFT USE
Index: Title

PROCEDURE (600.00)
Directive Specific Definitions
Chief Pilot: The lead pilot for the Air Support Unit (ASU) and shall be a sworn Portland Police Bureau member and pilot.

Pilots: Members with a private pilot’s license and are designated as Bureau Pilots for the Air Support Unit.

Observers: Members designated as Tactical Flight Observers (TFO) for the Air Support Unit. Observers are onboard all aircraft to assist the Pilot.

Aircraft call numbers: The ASU’s radio call numbers (Air 1 or Air 2) when communicating with ground units.

The ASU is under the command of the Tactical Operations Division (TOD). Operationally, the Chief Pilot supervises the Air Support Unit.

Members of the ASU serve on a detached basis from their primary assignments. RU managers will make every effort to release pilots and observers for Bureau flight duty when requested.

The Chief Pilot is in charge of the day-to-day operations of the Air Support Unit. All Bureau use of aircraft, other than out of town travel, must be coordinated through the Chief Pilot. Pilots are responsible for the safe operation of the aircraft and have the authority to refuse any flight due to a safety concern. Bureau pilots will conduct all Bureau flights. A TFO will be onboard all flights, except transport flights, unless approved by the Chief Pilot. The TFO will coordinate operations on the ground. The TFO may communicate with marked patrol cars using the shop number as the unit number. Ground units will use Air 1 or Air 2 when communicating with the TFO.

Member Responsibilities (600.00)

a. The ASU is available for flight operations 24 hours a day. In order to achieve maximum effectiveness and use of the Air Support Unit, all members are encouraged to think aircraft. Significant savings in staff hours and related costs can be achieved when aircraft assist with patrol functions. Possible applications include vehicle and foot pursuits, perimeter positions, surveillance, and command overview of critical incidents and area checks.

b. If the ASU is not airborne, a sergeant or above may request assistance by contacting the Dispatch Coordinator. Members requesting activation will need to provide a call back telephone number in the event additional details are required. Requests for Air Support may be made by contacting TOD. Response time for deployment is approximately one hour.

c. Air 1 logs into the CAD system at the beginning of each flight mission.
The CAD system will denote if Air 1 is airborne. Members may contact BOEC for the ASU operational radio net.

d. A request for emergency photographs may require a call out. If photographs are not needed immediately, contact TOD with the request.

Air Support Unit Responsibilities (600.00)

a. Each member of the ASU will be familiar with the Air Support Unit SOP (including any revisions). It is the responsibility of the Chief Pilot to maintain the SOP manual and ensure members of the unit are familiar with it.

b. Unit members paged with a flight request will respond within 10 minutes as to availability.

c. A list of locations to be photographed will be maintained in the Bureau hangar. TFOs will review this list prior to each flight and photograph the locations if possible.

d. Unit members will scan the precinct operation radio nets while airborne and assist in patrol calls when possible.

e. Flight requests made of an ASU member will be fulfilled unless there is a safety concern.

f. ASU members will write a report when requested or when required by policy. A copy of all reports will be forwarded to the Chief Pilot, in addition to the end of flight reports completed by the pilot and TFO.

g. TOD will coordinate requests for ride-alongs during business hours. All ride-alongs are subject to the approval of the Chief Pilot. Bureau members are encouraged to participate in ride-alongs.

Deployment (600.00)

Aircraft may be deployed to provide patrol support, surveillance, enforcement and training. Life saving missions will receive priority. Additional services may include:

a. Specific enforcement of violations.

b. Surveillance of identified problem locations or people.

c. Aerial supervisory platform at disaster scenes.

d. Bureau member.

e. Aerial photography.

f. Major incident support.

g. Narcotic interdiction.

h. Special events such as Rose Festival or Portland Marathon.

i. Assume primary unit status and responsibility in a police vehicle pursuit. The TFO will write a report and deliver a copy to the primary ground unit.

j. Maintain perimeter when a suspect is hiding in a block.
k. Survey an area of interest.
l. Advise ground units for deployment on congested streets and freeways or when requested.
m. Provide visual assistance to fire, rescue and ambulance personnel.
n. Crow control, protest marches and demonstrations.

**During Disasters or Emergencies (600.00)**

In most situations, the Air Support Unit will be under the command of the Emergency Operations Center. Anticipated responsibilities include:

a. Complete a damage assessment of the area affected by the disaster or emergency.
b. Coordinate efforts with ground units and other aircraft.
c. Assist as an airborne relay point for communications if there is a failure at BOEC.
d. Establish a common VHF radio frequency with other involved aircraft.
e. Act as a liaison with the Federal Aviation Administration regarding airspace requirements.

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**605.00 ALL TERRAIN VEHICLES (ATVs) USE**

Index: Title: Refer:

**POLICY (605.00)**

Members who are currently certified on the All Terrain Vehicles (ATVs), as described below, are authorized to deploy them. ATVs provide a police presence and enforcement in areas otherwise inaccessible to standard patrol practices and provide the ability to respond to and support special events and calls for service. A structured ATV program as an alternative patrol method allows for greater community contact and interaction strengthening the police and community partnership.

**PROCEDURE (605.00)**

**Directive Specific Definitions**

ATV: A Bureau issued All Terrain Vehicle equipped with emergency lights, audible sounding device, and marked with Bureau insignia.

Safety Gear: DOT/SNELL approved helmet, gloves, and eye protection.

**Training and Certifications (605.00)**

The Training Division (Training) is responsible for training and (re)certification of Bureau members in the proper use and deployment of ATVs. Requests for training and certification will come from the RU managers to the Training Division using the Training Application form.
To obtain and maintain certification, members must complete the initial 40 hour ATV Certification Course and a yearly 10 hour recertification. Copies of the (re)certification records will be distributed to the member’s unit or division at the completion of the (re)certification. The member’s RU manager can make exceptions to the member’s maintenance recertification, if due to an assignment to a non-patrol unit, for an extended leave of absence, or personnel concerns.

The Training Division is responsible for the training and (re)certification of ATV instructors after the completion of an approved instructor’s course.

Member Responsibilities (605.00)
ATV operators will be responsible for completing the initial 40 hour ATV certification course. Members will maintain an annual 10 hour recertification requirement through scheduled ATV in-service or documented deployment by a certified ATV instructor. Members will ensure they possess and maintain all required safety gear. Members will operate ATVs within the established RU Standard Operating Procedures (SOPs).

RU Manager Responsibilities (605.00)
RU managers will ensure the following:

a. Security and maintenance of ATVs assigned to their unit.

b. ATVs are assigned in a manner that optimizes their continuous availability throughout their precinct for emergency deployments.

c. Provide audits and inspections to ensure the procedures are being followed.

d. Each ATV operator has the approved safety gear and the approved safety gear is maintained and serviceable.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (605.00)
The Training manager is responsible for the proper training and (re)certification of Bureau members and for maintaining records of training. The Training manager will specify the safety gear required for ATV operators.
612.00  RADIO USE

Index: Title; Alarms, Response; Call Priorities - Radio Denial of Service; Code Five Procedures; Dispatch Guidelines; Interagency Radio Dispatch Policy and Guidelines; Multiple Unit Deployment Offense Types; Out of Service Type Codes; Premise Information File; Radio Calls for Service, Priority, Deployment, Covering Units; Radio - Disposition Codes; Radio - Response Goals; Service, Denial of

Refer: ORS 820.300  Emergency Operation of Emergency Vehicle
DIR 630.10  Driving Responses
DIR 741.00  Chemical and Biological Agents/Weapons
DIR 763.00  Operational Condition (OPCON)
DIR 1225.00  Communication Technology
Interagency Pursuit Agreement
Radio Call Numbers (SSD)
Radio Templates  (SSD)

PROCEDURE (612.00)

Call Priorities

a. Priority E Calls (Emergency): In Progress incidents which are life threatening.
b. Priority 1 Calls (Urgent): In Progress incidents when a life may be in immediate danger.
c. Priority 2 Calls (Immediate): In Progress incidents where there is the potential for physical injury or involves a major property crime.
d. Priority 3 Calls ( Expedite): Incidents which may include crimes in progress but does not involve an immediate danger to persons or property.
e. Priority 4 Calls (Routine): All other incidents.
f. Priority 5 Calls (Delayed): Situations when the caller cannot immediately meet with the member. When the caller does become available, calls are reassigned the proper priority code.

Response Goals (612.00)

a. Bureau of Emergency Communication (BOEC) Responsibilities:
   1. Set and meet goals regarding the time from call receipt to dispatch of Priority E, 1 and 2 calls.
   2. Dispatch Priority E, 1 and 2 calls immediately.
   3. Notify a PPB supervisor when priority 3 calls are holding longer than 30 minutes and priority 4 calls holding longer than 1 hour.

b. Member Responsibilities:
   1. Always subject to Priority E, 1 and 2 calls.
   2. If possible, self-dispatch on priority 3 calls within 30 minutes and priority 4 calls within 1 hour.
3. Respond to calls in a manner that provides the best possible service to the community and reflects response goals.

c. Supervisor Responsibilities:
   1. Monitor their precinct call load to ensure response goals are met.
   2. When unable to monitor pending calls, he/she will notify BOEC so the dispatcher can ensure the response goals are met.
   3. If response goals cannot be met, request assistance from a supervisor from another precinct.

d. Operations Branch Chief’s Responsibilities:
   1. Set and manage response goals for Priority 3 and 4 calls.
   2. Periodically review and adjust response goals, as appropriate.

Mobile Data Computer (MDC) and Computer Assisted Dispatch System (CAD) (612.00)

Members will comply with all laws and regulations regarding computer systems. The MDC/CAD is for official use only and any system or e-mail messages that contain sexual, racial, degrading or suggestive remarks are prohibited. Personal messages may be sent, but they must conform to standards. Limited personal messages may be sent provided these are incidental, of short duration and conform to standards. All messages and e-mail in the CAD are subject to review and privacy should not be expected. Members will not use unauthorized software or RAM cards in the MDC.

Members will not release information from computer data bases to the public. Requests for information of this nature should be directed to the Records Division (Records). Radio call information requests, which cannot be answered by accessing CAD, should be directed to BOEC.

Radio Use (612.00)

Police operations (dispatch) talkgroups are used for routine communications between BOEC and units. They will not be used for car-to-car communications unless during an emergency. No car-to-car, car-to-office or pursuit transmissions are permitted on the service net.

Police tactical talkgroups are used for the coordination of a single event where remaining on an operational talkgroup is disruptive or unsafe. TAC I is available as a back-up to the main dispatch net. A dispatcher will use this talkgroup when the dispatch talkgroup is not functioning or if non-emergency traffic is restricted on that talkgroup. TAC II is for units to coordinate responses to on-going incidents. TAC III is for tactical & undercover missions. Other tactical talkgroups are controlled by the division/unit to which the net is assigned.

Administrative talkgroups are used for communications from car to car or units to their offices. Division/units with an assigned administrative talkgroup will always monitor this talkgroup in addition to their operational talkgroup.
Requests for BOEC dispatcher support on non-operational talkgroups should be made as far in advance as possible. Copies of applicable operation orders should be forwarded to BOEC in advance. When the need for additional support is immediate, the request may be made verbally by a supervisor to a BOEC supervisor.

For further details refer to the PPB Radio Template on the Intranet.

NE DP – no longer used for auto records. May be used as an additional dispatch channel as needed as well as for special events (Rose Festival, VIP visits, demonstrations).

OSP 9 – a cross patch to OSP radio channel 9 which is the metro area OSP channel. When broadcasting, inform the OSP dispatcher that you are on “9.”

ODOT – dispatches COMET response vehicles. Officer may talk directly with COMET trucks.

COMM 1 and 2 – used for law enforcement communications within Multnomah County.

MU Law 1 and 2 (renamed from Law 1 and 2) – region wide law enforcement channel. Clackamas and Washington counties also have a Law 1 and 2 which are WA Law 1, 2 and CC Law 1.

PPB auto records – auto records will monitor this channel.

US Marsh – tactical channel for US Marshals service, no dispatcher.

OHSU SEC – dispatcher for OHSU security 24/7.

A, B and C channels – used by all 800 radio users for large events. Metro A, B and C are renamed MULT A, B and C. Clark County and Washington County also have A, B and C.

Stanton – 24 hour dispatch for Portland Bureau of Maintenance.

Water – 24 hour dispatch for Portland Water Bureau.

USCG – 24 hour dispatch for USCG Station, Portland.

Zone G contains national and state talk groups that function separately from the Portland radio systems. “I” channels are national channels. “ICALL” is monitored by BOEC. OROPS 1-5 are for use by the State of Oregon agencies and use repeaters in the Metro area. Channels 2 and 5 are generally used by law enforcement. WAOPS are used in the State of Washington and are not repeated in the Portland-Vancouver region. These channels can also be used in a simplex mode when the user turns off the repeated function in the pack set or car radio.

Zone H is an emergency use zone in case of a catastrophic failure of the Portland radio towers. Officers will be directed to specific channels that use radio towers from either Vancouver, Washington County or Clackamas County.

Eagle 2 – used for car-to-car between Clark County Sheriff’s Office and Vancouver Police Department.

WA SNET – serves as the Service Net for Washington County during peak usage. During early morning hours, it is the combined dispatch for South Cities dispatch and Hillsboro dispatch.

OSP-12 – the cross patch for OSP patrols in the Gorge area of Multnomah County.
When broadcasting, advise the OSP dispatcher you are on “12.”

WA Buxun and Roundtop – are additional repeaters of WA SO1 used to extend range further into western Washington County.

a. Member Responsibilities:
   1. When receiving transmissions, respond with his/her unit number and location and, if necessary, repeat received information to verify accuracy.
   2. Transmit messages by announcing his/her unit number, await acknowledgement and state the message.
   3. Transmit emergency messages by stating his/her unit number and Emergency. All other units will cease transmissions until the emergency transmission is completed.
   4. Switch to the appropriate talk group when dispatched to another precinct/agency. When communicating on another agency’s talk group, preface his/her unit number with our agency name, (i.e., Portland Police 850).
   5. Request phone calls be made by his/her precinct/office on an administrative net or on Private Call. Members will not request the Service net to make telephone calls.

b. Supervisor Responsibilities:
   1. Ensure members comply with appropriate radio use.
   2. Extraordinary requests for BOEC support on non-operational talk groups should be made in writing, though channels. Copies of Operation Orders should be forwarded to BOEC in advance. When the need for such support is immediate, the request may be made verbally to a BOEC supervisor.

BOEC Record Policy and Information Requests (612.00)

BOEC does not directly release any information to the media. All release of BOEC information is done through the user agency responsible for the response.

a. Radio Recordings: BOEC retains all voice recordings for 30 months. Requests for recordings should be routed through a supervisor, to BOEC. Recording requests should identify specific information needed, (i.e., East Talkgroup pursuit through 10-61 or incoming call only. If a member feels that the Master Voice Logging recording needs to be retained longer than 30 months, they must contact BOEC for directions on placing a hold on the master recording. Recordings are generally copied and returned within 10 days of request. Priority is given to recordings required by the courts or those used in ongoing investigations.

b. CAD Data: Available to each user through the CAD terminals in patrol vehicles, precincts, and various other divisions. The CAD maintains online Unit Histories for one month and Incident Histories for seven months.
BOEC maintains some limited CAD data in off-line files, which can be retrieved by forwarding a written request, through channels, to the Director of BOEC.

**Radio Call Numbers (612.00)**

RU managers may assign numbers, including unassigned numbers, within their designated block of numbers. However, all changes and/or modifications must be forwarded to the Strategic Services Division (SSD). Those number blocks identified as Reserved cannot be assigned without Strategic Services’ approval.

**Status Codes (612.00)**

Members will use the following codes in transmissions, rather than clear voice:

<table>
<thead>
<tr>
<th>VOICE/MDC</th>
<th>CODES</th>
<th>MEANING</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDC</td>
<td>10-8</td>
<td>Clear</td>
</tr>
<tr>
<td>MDC</td>
<td>10-11</td>
<td>Beginning shift</td>
</tr>
<tr>
<td>Voice</td>
<td>10-51</td>
<td>Can suspect over hear this</td>
</tr>
<tr>
<td>Voice</td>
<td>10-57</td>
<td>Stolen Vehicle</td>
</tr>
<tr>
<td>either</td>
<td>10-61</td>
<td>Prisoner in Custody</td>
</tr>
<tr>
<td>either</td>
<td>10-62</td>
<td>Transporting Prisoner</td>
</tr>
<tr>
<td>either</td>
<td>10-63</td>
<td>Transporting Citizen</td>
</tr>
<tr>
<td>either</td>
<td>10-64</td>
<td>Prisoner/Citizen Transport Complete</td>
</tr>
<tr>
<td>voice</td>
<td>10-71</td>
<td>Warrant Service</td>
</tr>
<tr>
<td>either</td>
<td>10-72</td>
<td>Detail Assignment from Supervisor</td>
</tr>
<tr>
<td>either</td>
<td>10-73</td>
<td>Follow-up</td>
</tr>
<tr>
<td>either</td>
<td>10-74</td>
<td>Servicing Equipment</td>
</tr>
<tr>
<td>voice</td>
<td>10-75</td>
<td>Stake Out (Code 5)</td>
</tr>
<tr>
<td>either</td>
<td>10-77</td>
<td>Checking Person</td>
</tr>
<tr>
<td>MDC</td>
<td>10-81</td>
<td>Coffee Break</td>
</tr>
<tr>
<td>MDC</td>
<td>10-82</td>
<td>Meal Break</td>
</tr>
<tr>
<td>MDC</td>
<td>10-83</td>
<td>Writing Reports</td>
</tr>
<tr>
<td>either</td>
<td>10-84</td>
<td>Checking Vehicle/Traffic Stop</td>
</tr>
<tr>
<td>either</td>
<td>10-85</td>
<td>Inspect Premises/Security Check</td>
</tr>
<tr>
<td>either</td>
<td>10-86</td>
<td>Walk and Talk (Conditionally Available)</td>
</tr>
<tr>
<td>either</td>
<td>10-87</td>
<td>Bike Patrol (Conditionally Available)</td>
</tr>
<tr>
<td>either</td>
<td>10-88</td>
<td>Monitoring the radio but not the MDC</td>
</tr>
<tr>
<td>either</td>
<td>10-89</td>
<td>Other</td>
</tr>
</tbody>
</table>

**Radio Disposition Codes (612.00)**

The primary unit assigned to a call will assign a disposition code when clearing. The disposition code W8 should only be used by the primary unit. Cover units should clear by typing and sending C on the MDC, or by voice with the dispatcher.
Members will use the following letter/number code in all dispositions:

<table>
<thead>
<tr>
<th>CODE</th>
<th>MEANING</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>Report Written – Original</td>
</tr>
<tr>
<td>R2</td>
<td>Report Written – Supplemental/Follow-up</td>
</tr>
<tr>
<td>R3</td>
<td>Report Written – Non-numbered – Non-connect</td>
</tr>
<tr>
<td>S1</td>
<td>Cannot Locate Person</td>
</tr>
<tr>
<td>S2</td>
<td>No Such Address</td>
</tr>
<tr>
<td>S3</td>
<td>Reported Condition does not exist</td>
</tr>
<tr>
<td>T1</td>
<td>Premises Checked - False Alarm</td>
</tr>
<tr>
<td>T2</td>
<td>Premises Checked - Found Secure</td>
</tr>
<tr>
<td>T3</td>
<td>Premises Checked - Made Secure</td>
</tr>
<tr>
<td>T4</td>
<td>Alarm cancelled</td>
</tr>
<tr>
<td>W1</td>
<td>Assignment Completed</td>
</tr>
<tr>
<td>W2</td>
<td>Person Assisted</td>
</tr>
<tr>
<td>W3</td>
<td>Person Advised/Referred</td>
</tr>
<tr>
<td>W4</td>
<td>Hazard Corrected/Removed</td>
</tr>
<tr>
<td>W5</td>
<td>Delivered Person, Message, Package</td>
</tr>
<tr>
<td>W6</td>
<td>Peace Restored</td>
</tr>
<tr>
<td>W7</td>
<td>Nuisance Abated</td>
</tr>
<tr>
<td>W8</td>
<td>Arrest Investigation Made by Other Agency</td>
</tr>
<tr>
<td>X1</td>
<td>Person Checked OK</td>
</tr>
<tr>
<td>X2</td>
<td>Vehicle Checked OK</td>
</tr>
<tr>
<td>Y1</td>
<td>FCR Completed</td>
</tr>
<tr>
<td>Y2</td>
<td>Warning Given</td>
</tr>
<tr>
<td>Y3</td>
<td>Citation/Tag issued</td>
</tr>
<tr>
<td>Z1</td>
<td>Misc. Disposition – BOEC only</td>
</tr>
</tbody>
</table>

Sensitive Incident Codes (612.00):

Members discussing sensitive incidents will use the following codes:

<table>
<thead>
<tr>
<th>CODE</th>
<th>MEANING</th>
</tr>
</thead>
<tbody>
<tr>
<td>33B</td>
<td>Bomb Threat</td>
</tr>
<tr>
<td>33INV</td>
<td>Chemical Release Investigation</td>
</tr>
<tr>
<td>33CTH</td>
<td>Chemical Release – Threat</td>
</tr>
<tr>
<td>33C</td>
<td>Chemical Release</td>
</tr>
<tr>
<td>55A</td>
<td>Death; homicide</td>
</tr>
<tr>
<td>55K</td>
<td>Death; all other</td>
</tr>
<tr>
<td>27A</td>
<td>Hold-up alarm (silent)</td>
</tr>
<tr>
<td>27B</td>
<td>Intrusion/Burglar alarm (silent)</td>
</tr>
<tr>
<td>39A</td>
<td>Rape</td>
</tr>
<tr>
<td>39B</td>
<td>Other Sexual Assault</td>
</tr>
</tbody>
</table>
Special Files (612.00)
The CAD has the capability of creating and maintaining special files to provide information to members as incidents arise. Each special file has its own characteristics as outlined below:

a. Special Interest File: Contains information that is operationally useful, is not already flagged in PPDS and does not involve probable cause to arrest. Information is automatically purged in 72 hours, unless another expiration date is entered. Entries could include: safety concerns, information which could help solve a crime and other timely information. Members are responsible for deleting information, which is no longer useful.

b. Vehicle/Suspect File: A file with probable cause information relative to vehicles and suspects. This file has an automatic 72-hour purge factor. Entries require supervisor approval.
   1. Member responsibilities when using the vehicle/suspect file.
      a) Write a report prior to making the entry (a suspect alert report will suffice).
      b) Delete information which is no longer useful.
   2. Supervisor Responsibility: Approve entry and enter Bureau I.D. number in the Reason for Contact field.

   c. Premise Information File: A file with information relative to a specific address as it relates to officer safety, enhanced or altered response or other information.
      1. Permanent entries can only be added by a BOEC supervisor.
         a) Member Responsibility: Requests entry in writing on an inter-office memo and gain approval by a Bureau supervisor.
         b) Supervisor Responsibility: Review and forward approved requests to BOEC before the end of the shift.
      2. Temporary entries (1 – 7 days) may be made verbally to the BOEC dispatcher or entered via MDC. Information entered in this fashion will automatically purge after seven days.

Telephone Report Unit (TRU) (612.00)
During TRU operation hours, referring a call to TRU should be coordinated through the dispatcher.

Emergency Procedures for BOEC (612.00)
If communications are disabled due to equipment failure or an incident, which causes BOEC to be evacuated, the following will be in effect and will remain in effect until BOEC is able to correct the problem, return to their building or until Bureau supervisors are informed by a BOEC supervisor that alternate procedures should be followed. In the event of a partial radio system failure in which some but not all the primary talkgroups are inoperable, members will move to an operable
primary talkgroup, check in, and wait for instructions.

a. Member Responsibilities:
   1. Ascertaining the nature of the malfunction from BOEC.
   2. Prioritize incoming calls and dispatch according to the Unit Assignment Table.
   3. Dispatch Priority E, 1 and 2 calls to the district unit and if the unit is not available, any unit in the precinct within a reasonable proximity to the incident will be assigned the call. In the event those units are unavailable, the closest unit, regardless of precinct assignment, will be assigned the incident.
   4. Dispatch according to the following minimum response guidelines (members may cancel additional units upon arrival):
      1. Priority E Calls: Two members will be dispatched.
      2. Priority 1 and 2 Calls: Two members will be dispatched.
      3. Priority 3 and 4 Calls: One member will be dispatched.
      4. Code 0 Calls: Four units will be dispatched.
      5. Cover Requests: One member will be dispatched when the requesting member has not designated how many units are needed.
      6. Emergency Status Activation: Two members will be dispatched. BOEC will attempt to verify the emergency and the location as units respond.
   e. Refer calls to other appropriate members, (i.e., TRU, desk clerks, I&R, etc.).
   f. Voice dispatch calls to units not having a MDC, (i.e., traffic units, bicycle
patrols and mounted patrols).

g. Rebroadcast on all operational talkgroups information relative to urgent incidents. Incident information occurring in an adjacent precinct/agency, which could create an officer safety situation, will also be broadcast on the adjacent precinct/agency’s talkgroup. Urgent incidents are situations where any of the following occurs:
1. Officer in trouble.
2. Armed robbery in progress or just occurred.
3. Shooting just occurred.
4. Silent hold-up alarm, during business hours.
5. Pursuit (Bureau or any agency entering Portland’s jurisdiction).
6. Sniper or hostage situation.
7. In progress felonies or serious misdemeanors where an immediate police response will assist in the suspect’s apprehension, or prevent loss of life, physical injury or major property damage.

h. Provide support to members when it is not possible for them to use MDCs, cellular telephones, etc. Notifications and call-ups will be done by members; except, SERT, EDU, HNT and Traffic Investigations will be done by BOEC. Non-emergency call backs will be done by members or by their desk clerk.

i. Broadcast via voice and enter into the CAD all Attempt to Locate and Information of Interest information prior to closing the call.

j. When the unavailability of units causes a significant geographic segment of a precinct to be without an immediate response capability, the dispatcher shall notify a field supervisor. If a field supervisor is unavailable, the dispatcher may direct these movements of units and notify a supervisor when practical.

k. Notify the field supervisor if pending calls for service appear to be unusually heavy in any one district or area.

l. BOEC supervisors may raise or lower a call priority when appropriate. Decisions made by a BOEC supervisor regarding a call priority may not be changed without a Bureau supervisor’s approval, unless circumstances dictate otherwise.

m. The 9-1-1 center dispatching a pursuit will contact other 9-1-1 centers and provide the following:
1. Agency in pursuit.
2. Reason for the pursuit.
4. Direction of pursuit.

n. The other 9-1-1 centers will advise their members of the pursuit and the talkgroup it is on.

o. The pursuit crosses jurisdictional lines and that agency assumes the pursuit, the 9-1-1 center for the assuming agency will dispatch the pursuit.
Basic Member Responsibilities (612.00)

a. Go in service, out of service and end his/her shift by MDC. Members will log on with the MDC with the following information:
   1. Unit number.
   2. Shift.
   4. Portable radio number.
   5. Password.
   6. Vehicle number.
   7. Cell phone number.
   8. Shotgun number.
   9. Car radio number.

b. FTOs with trainees will notify the dispatcher by voice/MDC when they are a Training Car and considered a one member car for cover purposes.

c. Complete calls received from BOEC as if received directly from a supervisor. Members will acknowledge calls without comment unless additional information is needed. If a member objects to a Priority E, 1 or 2 call, the member will complete the call, then object through appropriate channels, unless:
   1. The call or directive is altered or countermanded by a supervisor, at which time that supervisor’s name and/or Bureau I.D. number will be entered into the CAD.
   2. If he/she has good reason to believe that the dispatcher’s directive entails a potential violation of law or policy or is an unnecessary risk to the safety of members or the public, then he/she may immediately contact a Bureau supervisor for a resolution.

d. Monitor radio and MDC, except while in court, at MCDC, etc.

e. Respond to a dispatched higher priority call while servicing a lower priority call.

f. Respond, arrive and communicate tactical information via voice to Priority E, 1 and 2 calls or calls with cover. Members may update to On Scene by MDC, if tactically necessary.

g. For Priority 3, 4 and 5 calls:
   1. Regularly, and after clearing a call, review calls holding within his/her district and in adjoining districts on the MDC and assign themselves to calls when necessary to maintain response time goals.
   2. Notify a supervisor if unable to respond to a call in a timely manner.
   3. Before taking a holding call, consider the length of time the call has held, the nature of the call, the member’s reasonable proximity factors (distance, time, shift conditions, unit availability and practicality) and the member’s personal knowledge of the call.
   4. Assign themselves to Priority 3 and 4 calls by MDC.
5. Request cover as necessary.
6. Notify the dispatcher and a supervisor when unavailable for calls for an extended period of time.

h. Before making a traffic stop, attempt to check the vehicle’s plate by MDC first, and then give the following information by voice or MDC:
   1. Unit number and 10-84 (wait for dispatcher to acknowledge).
   2. Vehicle license plate or description.
   3. Location.

i. Use the MDC for routine status changes, (i.e., 10-81, 10-82, etc.), and include the location.

j. If practical, use the MDC Self-initiated Activity Mask when initiating non-cover activity.

k. Requests for medical and fire assistance will be done via voice on Police Talkgroups only. In tactical situations where EMS is staging, members may use PFB DP to advise the medical/fire personnel when it is safe to enter the scene.

l. The first member at the scene of a major incident or tactical situation requiring two or more units will assume control of the scene until relieved by a supervisor.

m. Members will broadcast any Attempt to Locate or Information of Interest via voice prior to closing the call.

n. Recommend to supervisors the denial of service based on repeated requests to a chronic location or situation for which there is no resolution.

o. Request cover for his/her self-dispatched calls.

p. Immediately contact Records after stolen or recovered vehicle reports are taken.

q. Take Priority 3 and 4 calls up to 30 minutes prior to the end of the shift (supervisors may override this policy on a case-by-case basis).

r. Non-emergency call backs should be done by the members or desk clerks. Non-emergency call backs are generally defined as call backs relating to priority 3 and 4 calls, and those E, 1, and 2 calls when the incident has stabilized.

**Basic Supervisor Responsibilities (612.00)**

a. Deploy members by using a standard district numbering system, which allows deploying up to four cars per district for various activities, as follows (using district 620 as an example):
### POLICY AND PROCEDURE

<table>
<thead>
<tr>
<th>Number of Cars Assigned</th>
<th>Days</th>
<th>Afternoons</th>
<th>Nights</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 car assigned</td>
<td>623</td>
<td>626</td>
<td>629</td>
</tr>
<tr>
<td>2 cars assigned</td>
<td>621</td>
<td>624</td>
<td>627</td>
</tr>
<tr>
<td></td>
<td>622</td>
<td>625</td>
<td>628</td>
</tr>
<tr>
<td>3 cars assigned</td>
<td>621</td>
<td>624</td>
<td>627</td>
</tr>
<tr>
<td></td>
<td>622</td>
<td>625</td>
<td>628</td>
</tr>
<tr>
<td></td>
<td>623</td>
<td>626</td>
<td>629</td>
</tr>
<tr>
<td>4 cars assigned</td>
<td>621</td>
<td>624</td>
<td>627</td>
</tr>
<tr>
<td></td>
<td>622</td>
<td>625</td>
<td>628</td>
</tr>
<tr>
<td></td>
<td>623</td>
<td>626</td>
<td>629</td>
</tr>
<tr>
<td></td>
<td>620</td>
<td>620</td>
<td>620</td>
</tr>
</tbody>
</table>

1. System eliminates shift designators and provides for the assignment of several cars to a single district to cover call taking needs and allow problem solving time.

2. Supervisors should consider the options for numerical assignments available in relation to problems needing to be addressed. For example, a member needing some time to work on a problem could log-off from his/her three-digit district number and log-on with a four-digit non-call taking number, allowing the member time to address a problem area. Bicycles or other units with specific missions can be given four-digit numbers so they are not subject to radio calls but are in the CAD. An additional three-digit numbered car can be assigned to a district to handle only Priority 3 & 4 calls, which would allow the other district car time to work on problem areas and still respond to emergency calls in the district.

b. Keep the assignment of administrative tasks to district units at an absolute minimum during pre-relief hours.

c. Approve Denials of Service. After the supervisor has decided a course of action other than responding to the call, BOEC will be notified and the supervisor’s name and/or Bureau I.D. number will be entered into the call along with the reason for denial. The supervisor will contact the complainant and explain the denial of service. BOEC will not make these callbacks.

d. During major situations or tactical responses requiring multiple units, assume direct responsibility for the assignment and deployment of police resources. Prior to arrival, the first member at the scene will assume control.

e. When the unavailability of units causes a significant segment of the precinct to be without an immediate response capability, the supervisor will redirect units for adequate coverage. Requests may be made of other precincts or jurisdictions.
f. Raise or lower a call priority depending on the circumstances.
g. Supervisors will monitor MDC, CAD and radio messages to ensure con-
formance to procedures and standards.

612.10 DEATH MESSAGES

Index: Title
Refer: ORS 146.095 Responsibility for investigation
ORS 146.109 Notification of next-of-kin

POLICY (612.10)
By law (ORS 146.109), the Medical Examiner’s (ME) Office is responsible for
conducting next-of-kin notification for deaths requiring investigation in the State
of Oregon. On occasion, members of the Portland Police Bureau may be asked
to make that notification, or convey an emergency message on behalf of the ME’s
Office. To the extent that the request will not interfere with either the statutory
duties of the medical examiner or any investigation, the member will attempt to
provide this service to the community in a humane and compassionate manner.

PROCEDURE (612.10)

Directive Specific Definitions
Death message: Any message related to death or serious injury.

Medical Examiner Notifications (612.10)
It is the responsibility of the ME’s Office to notify relatives or friends of the
deceased when they are involved in a death investigation. However, members will
honor any reasonable request from the ME’s Office for assistance in these mat-
ters.

Outside Agency Notifications (612.10)
If the request for the delivery of a death message originates from an outside
agency, a member will be dispatched. The member receiving the call will be re-
quested to call the dispatch coordinator for the information. Name(s) of the deceased
or injured person(s) will not be transmitted on the police radio net.

Death messages will normally be delivered by the member handling the call. How-
ever, the member may use discretion as to whether to actually deliver the
message or have the person call the originating agency concerning the emergency.
Messages which contain incomplete information or do not clearly indicate the nature
of the problem should usually be handled by informing the relative or friend to
call and receive the message directly from the originating agency. If the member
elects to have the message delivered by the originating agency, the member will
remain at the scene while the call is being made to ensure that the message has been received and the person will require no further assistance.

**On Scene Notifications (612.10)**

It is important that the family is notified in person or a member stands by during telephone notification by the originating agency. This allows the member to assess the appropriate services the family may need. When notifying non-English speaking families it is important to have translation services ready and available to assist. Volunteer chaplains can be a valuable aid to members dealing with grieving families by freeing members to focus on other immediate police functions while the chaplains work with the family. When a volunteer chaplain is appropriate, the member will make the request through the dispatch coordinator. Bureau of Emergency Communication (BOEC) will then make the request for a volunteer chaplain through the volunteer chaplain coordinator. Since grief and bereavement may cause varied reactions ranging from none at all to a strong emotional reaction and even violence, safety is a first priority. The ultimate responsibility for the scene of the death investigation rests with the District Attorney and the ME for the county.

In incidents where the volunteer chaplain service is not utilized, but there exists a need for crisis intervention, the member may request a volunteer through the Crisis Response Team (CRT) coordinator. This request will be made through the Dispatch Coordinator at BOEC. The CRT coordinator will make contact with the requesting member.

In cases where the family is present at the scene of the death investigation and the family has made a request to view the body prior to the removal by a representative from the ME’s Office, it must be mutually agreed upon by the ME, the District Attorney, and the investigative agency prior to any on scene viewing. All entities will take into consideration safety at the scene, evidentiary concerns, the state of the body and the family’s emotional needs.

Some survivors may wish to know as many details as possible, while others may not. In cases where the resulting death or serious injury is under investigation, the details relating to the condition of the body or descriptions of injuries shall not be released to family members until the investigating agency has been consulted. In those cases, members shall refer the family to the investigating entity.

Once the body has been turned over to the ME’s Office or its representative, the ME is responsible for the proper chain of custody relating to the body and its associated property. The body will remain in the custody of the ME’s Office until the ME arranges for the proper release.
POLICY (614.50)

It is the policy of the Bureau to provide access to written records in an open, consistent, and timely manner in conformance with the standards set forth in the Oregon Public Records Law. A public record is any writing containing information relating to the conduct of the public’s business. Writing includes handwriting, typewriting, printing, letters, sounds and symbols, or any combination of these. It also includes information stored on paper, computer tape, film, video tapes, electronically stored or machine readable data, and other methods of retaining information as well as written documents such as police reports and memoranda. E-mail is included as are deleted messages stored on back-up tapes.

PROCEDURE (614.50)

Release of Information to Individuals

Persons seeking copies of, or the right to inspect, Bureau records shall be referred to the Records Division (Records). It will be the responsibility of Records to review the request. If the record requested is in the possession of Records, or is readily accessible by Records, they will then process the request.

If the record is not available to Records, they will refer the request to the RU in possession of the record or to the appropriate City Attorney.

All requests for crime scene photos and accident scene photographs will be Forensics Evidence Division (Forensics).

RUs that receive public record requests will comply with the request unless the record is exempt. If there is a question concerning whether a particular statutory exemption applies, the RU may contact Records and/or the City Attorney for advice. If requested, Records will assist or facilitate public record requests for other Bureau divisions and units.

In some cases, only a portion of the record may be exempt. In that case, the exempt portion shall be redacted and the remainder of the record shall be provided.

Fee Schedule (614.50)

Fees for public records are determined by the City Council. Refer to City Code
3.20.360 or Records for the current fee schedule. Nothing in this directive will pro-
hibit any RU from developing and releasing any document, without cost, designed
to educate or inform individuals or groups. Examples of such documents would
include crime prevention brochures, regular statistical documents, annual reports
and press releases.

If there is any question as to the appropriate release of a document, contact
Records or the City Attorney for advice. However, keep in mind that not all docu-
ments exempt under Public Records law are marked Confidential. Use caution
when dealing with matters involving children (either arrested or as victims), elder
persons, persons with mental or physical illness, or any matter that might be con-
sidered private by a person named.

Confidential Records (614.50)
In the event the record requested is marked confidential, the unit processing the
request will not release such material, if it is otherwise appropriate to do so, until
it has obtained the consent of the originating unit.

Information to Governmental Agencies (614.50)
This directive applies to private citizens or businesses seeking access to Bureau
records. Nothing in this directive will prohibit or affect the exchange of information
or records between any RU and another law enforcement agency or governmental
agency.

Release of Information to the Press (614.50)
All records requests by the media will be processed by the Records Division in
the procedure outlined in the Release of Information to Individuals section of this
directive. Requests for information pertaining to press releases and breaking news
events will be referred to the Public Information Officer.

630.05 VEHICLE PURSUITS
Index: Title; Pursuit, Vehicle; Interagency Pursuits
Refer: ORS 820.300 Emergency Vehicles; Exception from Traffic Laws
ORS 820.320 Illegal Operation of Emergency Vehicle
DIR 600.00 Use of Aircraft
DIR 630.10 Driving Responses
DIR 820.00 Arrest Jurisdiction
DIR 940.00 After Action Reports and Operation Orders
DIR 1010.10 Deadly Physical Force

POLICY (630.05)
The Portland Police Bureau recognizes and respects the integrity and value of
human life. The primary considerations when determining whether to initiate, continue or terminate a vehicle pursuit are public safety and the safety of Bureau members. All members shall balance the risk to the public created by allowing the suspect to escape against the danger to life and property inherent in pursuit situations. It should be the goal of members to employ pursuit intervention strategies to prevent pursuits or to use the strategies to end a pursuit as quickly as possible.

**PROCEDURE (630.05)**

**Directive Specific Definitions**

- **Barricading**: The intentional blocking/barricading of a roadway, by any means, to prevent passage of a pursued vehicle.
- **Boxing-in**: A coordinated tactic of positioning police vehicles around a suspect vehicle to stop or prevent the start of a pursuit.
- **Pursuit**: When a member initiates a vehicle stop and the driver resists the order to stop, increases speed and/or takes evasive actions, and refuses to stop. This directive takes effect once the driver refuses to obey the member’s order.
- **Pursuit intervention strategies**: Techniques which may be used to stop a fleeing vehicle, or to reduce the speed of a fleeing vehicle, in an attempt to reduce the danger to the community, the violator and Bureau members.
- **Pursuit Intervention Technique (PIT)**: Intentional contact between a police vehicle and a pursued vehicle in such a manner as to cause a 180-degree spin and subsequent stop of the pursued vehicle.
- **Ramming (deliberate)**: Using a police vehicle to purposely cause contact with another moving vehicle in order to bring that vehicle to a stop by incapacitating either the suspect or his/her vehicle (except PIT or the box-in).
- **Shooting**: Shooting at or from moving vehicles.
- **Spike strips**: Devices used to deflate tires in a controlled fashion.

**Pursuits in General (630.05)**

ORS provisions do not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all other persons, nor are they a defense to the driver in an action brought for criminal negligence or reckless conduct.

The decision to pursue must be based on the belief that the benefit of capture exceeds the risk that the pursuit creates. This Risk / Benefit analysis must be constantly reassessed during the pursuit. The circumstances justifying the decision to pursue must exist at the time of initiation. The decision to continue in or terminate a pursuit may include additional information developed during the pursuit. Suspect’s driving behavior, which did not exist prior to the pursuit, should not be used to justify continuing the pursuit.

Pursuit intervention strategies in pursuits must be rapidly planned and implemented as soon as possible or pursuits should be terminated.

a. The decision to pursue a vehicle is revocable. The Bureau respects a mem-
ber’s judgment not to engage in a pursuit or to discontinue a pursuit. No member shall be criticized for deciding against initiating, discontinuing his/her involvement in or terminating a pursuit.

b. In evaluating this risk involved in a pursuit, a member must consider the following criteria to include, but not limited to:
   1. Presence of pedestrians, potential presence of pedestrians, unpredictability of children, school zones, parks, etc.
   2. Seriousness of the offense committed, and the risk the suspect(s) pose to the community.
   3. Road condition, lighting and other environmental factors (i.e., slippery roadway, lighting, etc.).
   4. Volume and direction of traffic, congestion, etc.
   5. Overall speed of the pursuit relative to other traffic.
   6. Condition of police vehicle and equipment.
   7. Communication limitations.

Prohibited Pursuits (630.05)

a. Persons whose identities are known, who can be apprehended at a future time, and whose driving or conduct does not create an imminent threat of serious physical injury or death, will not be the subject of a pursuit. The sole exception to this prohibition is if the reason for the pursuit was his/her involvement in a life-threatening felony.

b. Those units carrying prisoners will not become involved in pursuits.

c. Cadets will not become involved in pursuits.

Restricted Pursuits (630.05)

a. Off-road four-wheel-drive vehicles, motorcycles, and police vehicles not equipped with overhead emergency lights will discontinue primary pursuit when a four-wheeled, marked unit is in position to assume the pursuit. The restricted unit should follow at a safe distance until conclusion of the pursuit.

b. Those police units carrying ride-alongs, complainants, witnesses, Chaplains, or cadets will not become involved in a pursuit unless there is a life threatening condition. In the event a pursuit is initiated by such a unit, that unit will disengage once a four-wheeled, marked unit is in position to assume the pursuit.

c. Reserve officers will not drive in pursuits, even when accompanied by a member, unless there is a life-threatening condition. In the event such a unit initiates a pursuit, the unit will disengage once a four-wheeled, marked unit is in position to assume the pursuit.

d. If a pursuit travels into Washington State, members shall terminate the pursuit unless the offense is a violent person to person felony.
Pursuit Vehicle Operations (630.05)

a. Drivers of pursuit vehicles shall drive with emergency lights and siren on and will immediately notify BOEC of the pursuit and the reason for initiating. One of the pursuit vehicles’ members will broadcast the location, speed, direction and other pertinent information as frequently as reasonable.

b. After initiating the pursuit, members involved in the pursuit should remain on the initial talk group (precinct dispatch net).

c. A maximum of three (3) units will be engaged in a pursuit. Exceptions may be authorized by a supervisor under very limited circumstances and only when an unusually dangerous situation dictates (i.e., multiple dangerous suspects, shots fired, armed robbery, etc.). The decision to attempt to use a PIT maneuver will not be a justification for a fourth car. Supervisory approval for exceptions must be authorized by voice over the air. The third police vehicle will follow the first two pursuit vehicles at a safe distance to be available as support.

d. Members should obtain, when time permits, supervisory authorization for ramming (deadly force scenarios). If time permits, members should notify the supervisor managing the pursuit and involved units his/her intention to use the PIT.

e. Members must obtain supervisory approval before deploying barricades, including requests for raising bridges.

f. The unit initiating the pursuit should stay with the pursuit, in some capacity, until termination. This includes following the pursuit in an inactive role.

g. Other units in the general vicinity not directly involved in primary pursuit may proceed with caution to a position that would assist in perimeter support. Perimeter support includes placing spike strips (with on-air notification of involved personnel), setting up perimeters for a fleeing suspect on foot, and assisting with a high risk vehicle stop.

Pursuit Intervention Strategies (630.05)

Pursuit intervention strategies should be pre-planned, when feasible, and deployed as soon as possible. The Bureau uses the following techniques:

a. Boxing-in: This is an intentional use of a police vehicle that may result in vehicle to vehicle contact. This action will not be considered an accident. Only members trained in the box-in may employ it. The box-in may only be used on vehicles traveling at, or slower than, 20 mph. A box-in performed on a vehicle traveling faster than 20 mph escalates into barricading.

b. Spike strips: Members deploying spike strips shall make an on air notification when time permits.

c. Pursuit Intervention Technique (PIT): Only members trained in the
POLICY AND PROCEDURE

A pre-emptive PIT may be used when there is probable cause to arrest the driver or an occupant of a vehicle and when there is an objective reasonable belief that the vehicle may attempt to elude or the suspect has a history to elude to prevent a pursuit. The use of a pre-emptive PIT should be attempted with additional members to provide cover, assist in the custody, and without the use of overhead lights and/or vehicle siren.

2. PIT is not deadly force when employed on an eluding vehicle that is traveling at or below 45 mph. PIT is deadly force when employed on an eluding vehicle that is traveling above 45 mph and is subject to DIR 1010.10. Members should take into account the location and environment prior to employing the PIT technique.

d. Barricading: Barricading is considered deadly physical force and subject to DIR 1010.10.

1. Barricading requires the approval of a supervisor. Furthermore, the barricade must be set up in such a manner as to afford the fleeing suspect ample time to see the barricade and stop his/her vehicle.

2. Once authorized, only unoccupied vehicles can be used. Under no circumstances will a roadway be barricaded with occupied vehicles or vehicles belonging to private citizens. Except during boxing-in, pulling in front of a fleeing vehicle is strictly prohibited.

e. Ramming (deliberate): Ramming is considered deadly physical force and is subject to DIR 1010.10.

f. Shooting: Shooting is considered deadly physical force and is subject to DIR 1010.10.

g. Air Support: The Air Support Unit will become the primary unit in the event it becomes engaged in a pursuit. The ground units will continue at a safe distance and at a reduced speed to respond and take control at the conclusion of the pursuit. The managing supervisor will maintain overall control of the pursuit.

Pursuit Termination (630.05)

a. Members will terminate a pursuit when ordered to do so by any supervisor. In addition, any sworn member may terminate a pursuit if he/she has knowledge of risk criteria justifying the termination.

b. Each member engaged in the pursuit will verbally acknowledge the termination order over the radio.

c. Members will not follow the suspect vehicle after the order/decision to terminate the pursuit has been made. The exception to this is the air support unit.
Pursuit Re-engagement (630.05)

A member choosing to re-engage a vehicle, after the pursuit of that vehicle has been terminated, must be able to articulate the circumstances leading to his/her decision to re-engage. The re-engaging member must articulate the risk factors posed by the pursuit or the risk factors posed by escape which have changed to our benefit. These risk factors may include, but are not limited to:

a. The suspect’s driving behavior has changed.
b. A new ability to deploy pursuit intervention techniques.
c. Improved traffic or environmental conditions.
d. Updated information that the suspect(s) have committed a more serious crime than originally believed.

Reporting (630.05)

At the conclusion of a pursuit, all involved units, regardless of the length of their involvement, will submit a report (Custody, Special, etc.). If deadly force is used (i.e., ramming, PIT above 45 mph), reporting and documentation will be handled as outlined in DIR 1010.10. PIT, ramming, boxing-in and barricading are the intentional use of a police vehicle in a tactical maneuver to terminate a pursuit. These actions are not accidents; therefore, no traffic investigation is required. Members will refer owner(s) of property he/she damaged to Risk Management. Members may refer owner(s) of property damaged by the suspect to Risk Management. Members do not need to file a State Motor Vehicle Accident Report. The primary member in the pursuit will complete a vehicle pursuit data collection report.

Pursuit Supervisor Responsibilities (630.05)

a. The supervisor assuming initial responsibility should maintain control and manage the pursuit until its conclusion. The managing supervisor will announce his/her management role over the air, via radio.
b. The managing supervisor must continually weigh the benefit of apprehension against the risk the pursuit poses to the community. This risk assessment can only be based on facts known at the time the pursuit is initiated. All members involved, and the managing supervisor, must be actively engaged in pursuit intervention strategies (i.e., PIT, box-in, spike strips, etc.) on the air. If it becomes clear that pursuit intervention strategies are not being rapidly planned or their deployment attempted, the pursuit should be terminated.
c. Advise the dispatcher, over the radio, of his/her call number and assumption of supervisory control of the pursuit. Supervisors who are actively engaged in the pursuit shall not assume the supervisory role.
d. Respond to the area of the pursuit and continue managing the pursuit.
e. Terminate pursuits when members are not adequately broadcasting location, speed and direction, or when the risks the pursuit possesses outweighs
the benefit of apprehending the suspect.
f. Continually monitor the pursuit, including the pursuit member’s demeanor, in deciding to continue or terminate.
g. May authorize more than three units to be engaged in exceptional circumstances (i.e., armed suspects, pursuit into another jurisdiction, etc.).
h. May authorize barricades in deadly force scenarios.
i. Ensure radio communication to other precincts or agencies.
j. Consider the availability and practicality of air support.
k. Ensure that reports are completed.
l. Prepare a supervisor’s after-action for the appropriate Branch chief, through channels, to include a recording of the pursuit which can be obtained from BOEC.
m. Conduct a debriefing with all involved members involved for training purposes.

BOEC Responsibilities (630.05)
a. Immediately notify and confirm a supervisor responsible for the pursuit. If no supervisor is found on the transmitting radio net, contact another net for a supervisor.
b. Notify other precincts and other agencies as appropriate and facilitate pursuit communication via common radio channels, landline, etc.
c. Provide supervisors with information about the pursuit by means of the Computer Aided Dispatch (CAD) system.

RU Manager Responsibilities (630.05)
Review after action reports for accuracy, completeness and compliance with directives and forward the report to the appropriate Branch chief.

Branch Chief Responsibilities (630.05)
a. The appropriate Branch chief, after review, will forward copies of the after-action packet to the Training Division and to Police Liability Management (PLM). The original after-action packet will be retained in the Chief’s Office confidential administrative file.
b. The Operations Branch chief will prepare an annual report analyzing Bureau pursuits compiled from information in the pursuit database.
c. Identify specific pursuits for review by the Pursuit Review Board.

Pursuit Review Board Responsibilities (630.05)
a. Identify pursuit trends for potential training and policy considerations.
b. Review the annual pursuit report completed by the Operations Branch chief.
Fleet Coordinator Responsibilities (630.05)
   a. Review collision cases not meeting the criteria of deadly physical force and refer the case to the Collision Review Board.
   b. Forward after-action packet to the police liability manager.

Collision Review Board Responsibilities (630.05)
   a. Review collisions not meeting the criteria of deadly physical force to determine whether or not a member’s actions complied with the Bureau’s policy and procedure.
   b. Produce a review report for any accident to the RU manager.

Pursuits Involving Multiple Jurisdictions (630.05)
   Supervisors will determine Bureau involvement in pursuits entering Portland city limits from another jurisdiction.

Coordinated Radio Use During Outside Agency Pursuit (630.05)
   a. BOEC will broadcast information in the event a metro area outside agency is in pursuit and is headed to Portland’s jurisdiction. That information will include:
      1. Which agency is in pursuit.
      2. The reason for the pursuit.
      4. Direction of the pursuit.
   b. Members will monitor the pursuit on the outside agency’s channel for up-to-date information.
   c. If Portland units engage the pursuit, members will continue the pursuit on his/her main dispatch channel, (i.e., Southeast dispatch). The outside agency will back out of the pursuit and monitor it on a Portland dispatch channel.
   d. In the event a Portland unit is in pursuit, BOEC will notify the other metro area dispatch channel until the jurisdiction where the pursuit has traveled to engage the pursuit. After the Portland unit releases the pursuit, members will switch to the other jurisdiction’s radio channel.
   e. If the pursuit leaves Portland, the other agency will be waiting to engage the pursuit and will be waiting on the Portland unit’s dispatch channel.

Portland Metropolitan Interagency Pursuit Agreement (630.05)
   The purpose of this agreement is to identify expected behavior and guidelines for interagency pursuits. This agreement was developed by the Police Executive Group.
   a. Goals.
      1. Develop procedures and identify role expectations for pursuits that
POLICY AND PROCEDURE

enter another jurisdiction.
2. Better manage interagency pursuits.
3. Reduce the risk of injury to officers, citizens, and damage to property.
4. Reduce confusion between jurisdictions.

b. Policy.
   1. It is the policy of this interagency agreement to be secondary to individual department pursuit policies. Participating agencies endeavor to support this agreement with their individual pursuit policies.

c. Procedure.
   1. Notification.
      a) Pursuing agency’s role:
         1) Provide the reason for the pursuit as soon as possible.
         2) Provide location, vehicle/suspect description, direction (LSD).
      b) Receiving agency’s role: Advise as soon as possible what role they will assume (engagement, supervisory control or perimeter support).
      c) Dispatch role: Attempt to align interagency communication.

d. Control.
   1. Pursuing agency role: Upon notification of receiving agency taking control, facilitate their taking control of the pursuit. At least one car from the initiating agency will maintain a position to respond at the conclusion of the pursuit.
   2. Receiving agency role: The agency with the geographic jurisdiction may take control over the pursuit at any time, including supervisory control. Supervisory control is not meant to supersede or violate another agency’s pursuit policy.
   3. A supervisor or officer, from any agency, may exert authority to terminate the pursuit if circumstances warrant.

e. Caravanning: A maximum of three units, regardless of combination of departments, will be engaged in a pursuit. A supervisor may authorize additional units in circumstances including, but not limited to, multiple dangerous suspects, shots fired, armed robbery, etc.

f. Support: Units not directly engaged will endeavor to position themselves to provide for perimeter containment or traffic control.

g. Pursuit Interventions: Before deploying a pursuit intervention (i.e., spike strips, PIT, ramming, boxing-in, barricading, deadly force, air support) the deploying agency will endeavor to make advance notification, including defining the type of intervention.
630.10 DRIVING RESPONSES
Index: Title; Code Responses; Emergency Driving Responses
Refer: ORS 820.300 Emergency Operation of Emergency Vehicles
ORS 820.320 Illegal Operation of Emergency Vehicle
DIR 630.05 Vehicle Pursuits

PROCEDURE (630.10)
Member Responsibilities
a. Vehicle operation in general: ORS provides authority and warnings related to emergency vehicle operation. ORS does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all other persons, nor is it a defense to the driver in an action brought for criminal negligence or reckless conduct. The driver of an emergency vehicle responding to an emergency call may:
1. Park or stand in prohibited areas, when using a visual signal (emergency lights).
2. As long as persons or property are not endangered, exceed the designated speed limits while using a visual signal (emergency lights).
3. Disregard direction and turning regulations when using visual signal (emergency lights).
4. Proceed past a red signal or stop sign while using both visual and audible signals after ensuring the intersection is clear.
5. Proceed cautiously, with visual and audible signals activated, past the flashing bus safety lights after coming to a complete stop and determining that no passengers of the bus remain on the roadway.

b. Seat Belts: Members operating official vehicles equipped with operable safety belts and passengers authorized to ride in the vehicle are required to wear such belts at all times while the vehicle is in motion. Failure to wear safety belts may result in civil liability claims against the Bureau and/or disciplinary action against the member.

c. Police escort is a police vehicle preceding or following a non-police vehicle to ensure its safety. No member will provide any type of police escort unless specifically authorized by the Chief of Police or designee (i.e., presidential motorcades, parades, etc.)

d. Code 1 response is a prompt, safe response to routine calls (i.e., cold crimes, non-injury accidents, missing persons, administrative calls, etc.) without the use of emergency lights or siren while obeying all traffic laws and ordinances. Responses to requests for service will be Code 1, unless the situation dictates otherwise.

e. Code 2 response is used for situations requiring immediate attention (i.e., silent or audible alarms, crimes just occurred, sick or injured persons, prowlers, incomplete calls, etc.), and requires the use of emergency lights
and may be augmented by the use of horn or siren to facilitate the safe passage of the police vehicle through traffic. Code 2 requires a complete stop at all stop signs and red lights before proceeding. ORS requires an audible signal while proceeding through a red light.

f. Code 3 response requires the continuous use of emergency lights and siren and is used for critical situations demanding emergency response (i.e., person’s life in danger, crime in progress, crime with suspects present, etc.)

g. Code 0 response is used when a member’s life or safety is in peril and immediate assistance is required. Continuous use of lights and siren is required.

1. Four units will be dispatched to the scene. Other nearby units may move toward the vicinity of the call but will not proceed to the scene, unless specifically requested by members at the scene. These units will, without disrupting emergency transmissions, advise the dispatcher of their unit numbers and locations.

2. The dispatcher will determine the nature and location of the incident, broadcast the initial and any subsequent updated information and dispatch a supervisor to the scene.

3. The first member able to make a determination will notify the dispatcher of the exact nature of the problem, whether or not additional assistance is required and when additional cover is not required.

4. Members enroute when it is indicated that no more cover is required, will immediately return to his/her districts or assignments to resume normal activities. Members are specifically prohibited from going to the scene once it is determined they are not needed.

h. The use of lights or siren is not required, even when indicated above in this directive, when it reasonably appears their use would hamper the apprehension of a suspect or affect police operations.

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630.15 FOOT PURSUITS

Index: Title;
Refer: ORS 131.615 Stopping of Persons
DIR 600.00 Use of Aircraft
DIR 630.05 Vehicle Pursuits
DIR 720.00 SERT and HNT Use

POLICY (630.15)

The Bureau has the duty and responsibility to pursue and apprehend offenders. Foot pursuits must be conducted in such a way so as to minimize the risks to sworn members and citizens.
Foot Pursuits in General (630.15)

Foot pursuits are inherently dangerous police actions. It is the policy of the Bureau that the safety of sworn members and the public shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this policy is intended as a general guideline for sworn members when deciding if such pursuits are warranted and how they should be conducted.

PROCEDURE (630.15)

Directive Specific Definitions

Foot pursuit: A pursuit on foot by a sworn member(s) where visual contact is maintained, and the suspect is readily capable of being apprehended by the pursuing sworn member(s).

a. A foot pursuit should end when the sworn member(s) loses visual contact with the suspect for more than a brief period of time (1-2 seconds), and a tactical apprehension should begin.

b. Sworn members can re-engage in a foot pursuit when he/she regains visual contact of the suspect and the suspect is readily capable of being apprehended.

Tactical apprehension strategies for the search and apprehension of the suspect could be accomplished by:

a. Sworn member follows and maintains constant visual contact while waiting for additional resources for apprehension.

b. Perimeter search.

c. Block search.

d. Cover/contact search.

e. K9 track.

f. Air Support Unit.

g. Activation of SERT.

Deciding Whether to Pursue (630.15)

A sworn member has the authority to stop any person reasonably suspected of having committed or is about to commit a crime, violation or traffic violation. While it is the sworn member who initiates the stop, it is the suspect who initiates the foot pursuit by fleeing. The decision to pursue should be made with an awareness of the degree of risk to which the sworn member exposes himself/herself and others.

No sworn member shall be criticized for deciding against initiating, discontinuing his/her involvement in or terminating a foot pursuit.

Foot pursuits and tactical apprehensions present certain inherent risks, yet both are an important law enforcement tool. The principles outlined below should be considered when initiating, continuing or terminating a foot pursuit or tactical apprehension.
Factors to Consider When Initiating/Continuing a Foot Pursuit (630.15)
   a. Whether the suspect is believed to be or known to be armed.
   b. Suspect’s behaviors:
      1. Looking back may be an indication the suspect is targeting or “sizing up” a pursuing sworn member.
      2. Change in stride or pace or efforts to draw a sworn member in or allow a sworn member to close may indicate the suspect is preparing for an attack.
      3. Hand and shoulder movement is an indicator the suspect may be reaching into the waistband or other threat areas.
      4. Holding an area of clothing to keep a weapon from falling out.
   c. Conditions:
      1. Locations:
         a) Residential.
         b) Commercial.
         c) Roadways.
         d) Schools.
         e) Wooded or isolated areas.
      2. Environmental factors: Weather or darkness.
      3. Communications.
      4. Availability and proximity of cover units.
   d. Sworn member’s characteristics:
      1. Physical conditioning and abilities.
      2. Familiarity with the area.

Sworn Member Responsibilities (630.15)
   a. Once the foot pursuit has been initiated, the pursuing sworn member should notify BOEC and attempt to broadcast the following information:
      1. The suspect’s direction of travel.
      2. Whether the suspect is armed, if known.
      3. Number of fleeing suspects.
      4. The reason for the pursuit.
      5. If known, the identification of the suspect, or a physical description.
   b. Generally, the pursuing sworn member should not attempt to overtake the fleeing suspect but keep the suspect in sight until sufficient cover is available to take him/her into custody. The following are techniques to consider:
      1. Following and maintaining a safe distance.
      2. Paralleling the suspect.
      3. Cover/contact pursuits (two sworn members).
      4. Following a different route than the suspect (i.e., wide corners).
      5. Using available cover (i.e., parked cars).
c. The primary sworn member should attempt to immediately coordinate with secondary sworn members to establish a perimeter in the area to contain the suspect. Secondary sworn members may assist with the coordination if the primary sworn member is unable to do so.
d. Complete all applicable reports needed to document the incident.

Foot Pursuit Restrictions (630.15)
a. The pursuing sworn member, if appropriate, will attempt tactical apprehension strategies. Sworn members will not engage in or continue in a foot pursuit when instructed not to by a supervisor. Sworn members should not engage in or continue foot pursuits in the following circumstances:
   1. Armed suspects unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others.
   2. In the event that a suspect enters a building, structure, wooded area or otherwise isolated area sworn members, unless in extreme circumstances, will not pursue suspects into these areas without sufficient cover present.
   3. If the sworn member believes that the danger to the pursuing sworn member or the public outweighs the necessity for immediate apprehension.
   4. If the sworn member is disarmed.
   5. If the sworn member loses contact with BOEC and no other means of communication exists.
   6. If the sworn member loses visual contact of the suspect(s) for more than a brief period of time (1-2 seconds).
   7. The sworn member is not familiar with and is unable to communicate the direction of travel or location sufficient enough for other sworn members to assist.
   8. The sworn member is unsure of his/her location.
   9. If instructed to do so by a supervisor.

RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL (630.15)
Supervisor Responsibilities
a. Respond to the location and continually manage the pursuit.
b. Ensure the perimeter is set up appropriately.
c. Consider the tactical apprehension strategies.
d. Terminate pursuits that are not in compliance with this policy.
e. Following each incident, debrief with the sworn members involved and, if feasible, his/her shifts.
Training Responsibilities (630.15)
The Training Division will ensure recruit sworn members receive training in the Advanced Academy on foot pursuit policy and techniques. Follow-up training will occur, as needed, and delivered by debriefings, Tips and Techniques, roll call training and in-service training.

RU Manager Responsibilities (630.15)
RU managers will require all supervisors to review and debrief foot pursuits with all sworn members involved and, if feasible, his/her shifts.

630.20 HARBOR RESPONSIBILITIES
Index: Title
Refer: City Code 19 Harbors

PROCEDURE (630.20)
The Bureau and the Multnomah County Sheriff’s Office (MCSO) agree that law enforcement on the waterways within the City of Portland will be the responsibility of MCSO.

a. Investigation of crimes occurring on or about waterways within the City continues to be the concern of the Police Bureau.

b. The Portland Fire Bureau (PFB) will notify the Bureau of Emergency Communication (BOEC) if crimes come to their attention. BOEC is responsible for notifying the appropriate responding agency of the crime.

c. If crime scenes are not readily accessible from land and are the investigative responsibility of the Bureau, MCSO will furnish transportation to the site. If MCSO is unavailable to assist, PFB will be notified.

Precincts will assume complete police responsibility for waterfronts and shorelines within their boundaries. Commanders will ensure active patrol in these areas.

Requests for marine services will be referred to BOEC.

a. MCSO is responsible for the investigation of crimes occurring upon waterways.

b. The Bureau is responsible for crimes occurring on land bordering the waterways.

c. If the responsibility for the investigation is not determined in the initial investigation, detectives from the Bureau and MCSO will consult with each other to determine investigative responsibility.

d. Under this policy, MCSO and the Bureau agree when a situation rises to the level of a tactical response or incident command, the Bureau will be responsible for the situation and MCSO will assist with their watercraft, if needed.

In situations that MCSO is not available to assist, PFB will be notified.
630.23  RESERVE OFFICER PROGRAM

Index:  Title
Refer:  ORS 656, Worker’s Compensation
        ORS 133, Citizen’s Arrest
        ORS 166, Unlawful Possession of Firearm
        City of Portland Charter, Chapter 3
        DIR 315.50 Unsatisfactory Performance
        DIR 410.00 Injuries/Occupational Illness/Disability/LOS

POLICY (630.23)

This directive establishes guidelines unique to the Reserve Unit and does not
address every situation. Reserve members shall adhere to all other applicable
directives and SOPs.

PROCEDURE (630.23)

The overall responsibility of the Reserve Unit rests with the Chief of Police as
outlined in the City of Portland Code (Chapter 3.20.180-210). The Reserve Unit
will work with the Police Bureau to develop and formulate ongoing Reserve Unit
activities, goals, policy and plans.

Reserve Unit Mission Statement (630.23)

The mission of the Portland Police Bureau Reserve Unit is to assist the citizens
of Portland, members of the Portland Police Bureau, and the Reserve Unit members
in delivering quality law enforcement services by maintaining and improving com-
munity livability by working with all citizens to preserve life, maintain human rights,
protect property and promote individual responsibility and community commitment.
Additionally, in time of disaster, riot or other emergencies, the Reserve Unit could
assist other sworn personnel in accomplishing their goals. The Reserves strive to
maintain a viable Reserve Unit that values the contributions of all members.

Reserve Coordinator Responsibilities (630.23)

The Reserve coordinator is responsible for the administration and coordination
of the Reserve Unit. In addition to the duties and responsibilities listed below,
the Reserve coordinator will report to the RU commander for other duties and
responsibilities regarding the Reserve Unit.

a. Perform all administrative tasks for the Reserve Unit, including the main-
tenance and updating of Reserve officer Records.
b. Coordinate the diverse activities of the Reserves.
c. Coordinate all aspects of Reserve training, including developing training
materials, and providing instruction.
d. Facilitate communication between the Reserve Unit and the Police Bu-
reau.
e. Evaluate the reserve program and make recommendations regarding the program.

f. Assist in the preparation and management of the Reserve Unit annual budget.

g. In conjunction with the Personnel Division, recruit, test and select applicants for the Reserve Unit.

h. Monitor individual Reserve member participation and forward recommendations to the Chief about continued membership of Reserve members who fail to adhere to Bureau directives.

Membership Requirements (630.23)

a. The requirements to be a Reserve officer are the same as Community Police Officer, minus the college credits. Reserve recruiting, testing and appointment are coordinated through the Personnel Division and the Reserve coordinator. Background investigations are conducted by the Personnel Division in the same manner as for Community Police Officer. Reserve officers must successfully complete the Reserve Academy (or equivalent training in certain cases).

b. A former Portland Police Reserve who resigned from the Bureau in good standing may be reinstated if they apply within one year of resignation. A former Portland Police Reserve who resigned from the Bureau in good standing may apply for reappointment within five years of resignation; however, the former member shall have an updated background investigation conducted prior to reappointment. After five years from resignation, the former member shall go through the same process as a new applicant.

c. A former or retired Portland police officer may apply for direct appointment to the Reserve Unit with approval from the Chief of Police.

Reserve Command Organization (630.23)

a. The organization structure of the Reserve Unit is designed to mirror the organization structure of a precinct or unit.

b. The Reserve commander is the senior ranking Reserve.

c. Reserve captains, lieutenants and sergeants shall be assigned duties that may include, but are not limited to, liaison duties to precincts, units or other areas of the Police Bureau or Reserve Unit.

The Reserve Unit may reorganize the duties and reporting responsibilities as situations dictate.

d. The Reserve who is assigned as the Recruit/Training coordinator, and to oversee the non-sworn and in-active members will report directly to the Reserve Commander.

e. All Reserve command staff must be Senior Reserve officer in order to be
eligible for promotion.
f. Promotions are made with the approval by the Chief of Police.
g. The rank structure and the numbers of Reserve command or supervisory positions will be determined by the RU commander based on the overall personnel strength of the Reserve Unit.

<table>
<thead>
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<th>Rank</th>
<th>Insignia</th>
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<tr>
<td>Commander</td>
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<tr>
<td>Captain</td>
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<tr>
<td>Lieutenant</td>
<td>One black bar</td>
</tr>
<tr>
<td>Sergeant</td>
<td>Three back chevrons</td>
</tr>
</tbody>
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**Reserve Officer Organization (630.23)**

a. Recruit Reserve Officer.
1. Not yet completed the Reserve Academy.
2. Shall not engage in any enforcement action.
3. May participate in plainclothes ride-along like a community member, but does not need to fill out form. All provisions of ride-along directive apply.
4. Must attend all training and meetings as directed by superior officer.

b. Trainee Reserve Officer.
1. Graduated from the basic Reserve Academy.
2. Must complete any new-hire and advanced training as prescribed by the Chief of Police.
3. An 18-month probationary officer.
4. Must partner with non-probationary paid officer during patrol duties.
5. Must be evaluated in accordance with the Reserve Field Training Manual.
6. One year to complete Reserve Field Training Manual.

c. Intermediate Reserve Officer.
1. May be an 18-month probationary officer.
2. Completed Field Training Manual to this level and been advanced by the RU commander.
3. Eligible to partner with Senior Reserve officer (after probationary period) or non-probationary paid officers during patrol duties.
4. Must be evaluated in accordance with the Field Training Manual.

d. Senior Reserve Officer.
1. Completed 18 month probationary period.
2. Completed Field Training Manual.
3. Completed 500 hours of additional non-administrative/training hours after obtaining Intermediate Reserve Officer status.
4. Advanced to this level by RU commander, Reserve coordinator and Reserve commander.
5. May partner with Senior or Intermediate Reserve officer or non-probationary paid officers during patrol duties.

Non-Sworn Members (630.23)
a. The objective of the non-sworn program is to expand opportunities to a greater number of citizens to volunteer within the Portland Police Bureau in a Community Policing environment. Non-sworn members will adhere to the following:
   1. Meet all personnel requirements of the Police Bureau.
   2. Be issued distinctive Reserve Unit apparel and Bureau ID card.
   3. Complete non-sworn academy (or approved equivalent training).
   4. Have no powers of arrest.
   5. Not carry firearms.
   6. Not operate marked or unmarked patrol vehicles unless authorized by an on-duty supervisor.
   7. May attend Reserve Unit training and meetings.
   8. Be involved in non-enforcement duties within the Reserve Unit and other duties at the discretion of the RU commander, Reserve coordinator and Reserve commander.

Reserve Officer Activities (630.23)
a. Reserve officers are not meant to supplement paid police officers, but instead to augment the Police Bureau’s Community Goals by:
   1. Assisting with arrests and transport of custodies.
   2. Assisting with special missions.
   3. Assisting with crime scene preservation.
   4. Community events, festivals, parades, marathons, and sporting events.
   5. Presidential and VIP security.
   7. Senior citizen programs.

b. While participating in certain special activities and details, the on-duty supervisor can make any type of personnel assignments as need to fulfill that duty.

c. Reserve officers can provide patrol support at the precinct or unit level, either as a two person reserve vehicle or by Training in Patrol (TRIP) with a paid police officer. During patrol support duty, Reserve officers must check-in with the on-duty supervisor to ensure authorization for duty and seek vehicles, radios and other equipment from the precinct in which they are working. Some general guidelines apply. These guidelines are
not intended to limit the activities of Reserve officers as situations may dictate or as an on-duty supervisor may request. Patrol support duties may include but are not limited to the following:
1. Reserve vehicles should not be dispatched on calls for service, unless directed by an on-duty supervisor.
2. Reserve vehicles can serve as tertiary cover on priority calls.
3. Reserve vehicles can assist with traffic accidents.
4. Reserve vehicles can enforce traffic laws.
5. While on TRIP duty, the patrol unit should be considered a one-person car for dispatch purposes.
d. As stated in the City of Portland Charter, the Chief of Police may direct Reserve officers to perform certain duties.

Reserve Duty & Scheduling (630.23)

a. Reserve officers are required to perform 20 hours service per month which includes attendance at all required training and meetings (General and Command Staff). Members, who fail to perform these mandatory requirements (unexcused), may be placed on probation for 90 days. If during this probationary period the member fails to perform mandatory requirements, a one month suspension may be imposed. Repeat failure to perform mandatory requirements in a 12 month period will be treated as unsatisfactory performance.
b. Attendance at annual in-service training is required, unless excused by the RU commander, Reserve coordinator and Reserve commander. The Reserve coordinator will work with the Training Division to ensure the training is tailored to fit the activities Reserve officers participate in.
c. Members shall refer to the Reserve Unit calendar for scheduling of duties. All Reserve Unit duties and events shall be listed on the calendar.
d. Requests for Reserve Unit support is coordinated by the Reserve coordinator. RU’s requesting Reserve Unit support should contact Reserve staff members or the Reserve coordinator early in the mission planning process to request assistance. The use of Reserve officers should be in addition to normal staffing levels, not a substitute for paid officers.
e. Normally Reserve officers should not work more than 10 hours in a 24 hour period, unless approved by the RU commander, Reserve coordinator and Reserve commander. In the case of an emergency situation, an on-duty supervisor may approve.
f. Monthly time reports are due to the Reserve Unit timekeeper by the General Meeting each month. Failure to turn in time sheet will be considered failing to perform mandatory duty.
Leave of Service (630.23)
   a. Reserve members may request a leave of service in writing to the RU commander, Reserve coordinator and Reserve commander for up to one year. After one year a new request must be made to extend the leave of service.
   b. Failure to return to duty after a leave of service will be considered absent without leave and will be treated as unsatisfactory performance.

Notification of Reserve Coordinator (639.23)
   a. As the circumstances dictate, Reserve coordinator and Reserve commander shall be notified whenever an on-duty member of the Reserve Unit is: Injured or killed.
      1. Uses deadly force or force that causes serious injury.
      2. Involved in a pursuit.
      3. Involved in a vehicle accident.
      4. Involved in an incident that will likely generate media attention.
   b. The Reserve coordinator shall be notified whenever an off-duty member of the Reserve Unit is arrested, had court action instituted against them from the scope of their duties or other legal actions that may affect their membership in the organization.

Off-Duty Arrests and Weapons (630.23)
   a. An off-duty Reserve officer may make a citizen’s arrest in accordance with ORS 133.225, unless inside the City of Portland where procedures for off-duty arrests are dictated by Bureau directives.
   b. Off-duty Reserve officers are not considered police officers in ORS 166.260 and therefore are not exempt from ORS 166.250, Unlawful Possession of Firearms. If a Reserve officer desires to carry a concealed weapon off-duty, they shall obtain the proper Concealed Weapon’s permit as would any other citizen.
   c. Reserve officers shall not carry a Bureau issued firearm concealed off-duty (to and from any official duty is an exception).

Badge and Identification Issuance (630.23)
   a. The Personnel Division is responsible for issuance and inventory of Portland Police Reserve badges and the coordination of issuance of police identification.
   b. Only active Reserve officers may be issued a Portland Police reserve badge.
   c. Badges and identification issued to Reserve officers will be returned to the Police Bureau upon promotion, demotion, retirement, resignation, termination, or at the request of the Police Bureau.
Trust Fund (630.23)

a. A Trust Fund is established through the Fiscal Division for the Reserve Unit.

b. Any monies received by the Reserve Unit as a donation shall be directed to the Trust Fund.

c. The use of Trust Fund monies must be approved by the RU commander, Reserve coordinator and Reserve commander prior to use and must be used in an appropriate manner such as the annual banquet or unit member plaques.

d. Once a quarter the Reserve coordinator, in cooperation with the Reserve commander, shall provide a memo on the status of the Trust Fund to the Branch chief via the RU commander.

Retirement (630.23)

a. After serving as a Portland Police Bureau Reserve officer for a continuous period of ten years, the Reserve officer will be tenured for retirement.

b. If a Portland Police Reserve officer has 10 years of continuous satisfactory service with another agency and the Portland Police Bureau, the Reserve officer will be tenured for retirement.

c. Upon the approval by the Chief of Police (or designee), a retired Reserve officer may be presented with a retired Reserve officer badge mounted on a plaque or similar display.

Workers Compensation (630.23)

In addition to Directive 410.00 (Injuries/Occupational Illness/Disability/LOS), Portland City Code Section 3.20.190 states while on any authorized assignment Reserve officers shall be covered by the City’s self-insurance as authorized under the provisions of the Oregon State Workers’ Compensation Laws and Administrative Rules. For specific information contact Risk Management.

a. In the event a Reserve is killed, injured or suffers an occupational disease that is accepted pursuant to the provisions of Oregon State Workers’ Laws and Administrative Rules, Risk Management will pay workers’ compensation benefits as provided by Oregon State Workers’ Compensation Laws and Administrative Rules.

b. The United States Government may compensate the surviving dependants under Public Safety Officers’ Death Benefit Act.

c. Monthly hours are to be submitted monthly by the Reserve Unit time keeper to Risk Management and to Central Accounting.

d. The Reserve coordinator will report the current assumed wage information to Risk Management and to Central Accounting.
Reserve Awards (630.23)

a. The Jack A. Taliaferro Award is presented annually to the reserve member whose exemplary performance as a community servant promotes the favorable image of a Portland Police reserve officer. The award shall be in writing and name of the winner placed on a plaque retained by the Reserve Unit. The RU commander, Reserve coordinator and Reserve commander will choose a recipient based on:
   1. Exceptional performance and sound judgment in completing assigned duties.
   2. High level of expertise in law enforcement, crime prevention.
   3. Willingness to contribute to the community.
   4. Outstanding leadership within the Reserve Unit.

b. The Lloyd Coulter Award is presented annually to the Reserve officer whose skills and ability have been exceptionally demonstrated in the use of firearms. The award shall be in writing and name of winner placed on a plaque retained by the Reserve Unit.

c. The Reserve Commander’s Award may be presented annually by the Reserve commander to a member of the Reserve Unit who provides exemplary service or duty to the Reserve Unit, Police Bureau and the City of Portland.

630.25 CADET PROGRAM

Index: Title
Refer: DIR 630.05 Vehicle Pursuits
Law Enforcement Cadet Application (Cadet Coordinator)

POLICY (630.25)

The Cadet Program within the Bureau is designed to acquaint young men and women with the general field of police work, to acquaint them with the Bureau and to assist their educational needs toward a career in law enforcement.

The Law Enforcement Cadet Program’s major objectives are:
   a. To identify and educate future law enforcement personnel.
   b. To develop an appreciation and understanding of law enforcement service in the program participants.
   c. To instill in those participants an understanding and appreciation of the justice system, law and professional ethics as they apply to the field of law enforcement.

PROCEDURE (630.25)

Overall responsibility of the Law Enforcement Cadet Program (LECP) resides with the Chief of Police or designee. Administration of the Cadet Advisory Com-
mittee, and organization of the Cadet Academy are the duties of the Program Coordinator with the assistance of the Post Advisors. The Coordinator will also receive requests for cadet service, directing them to the appropriate Cadet Post, while organizing and supervising activities involving multiple Posts.

Nothing in this directive prohibits an RU or Cadet Post from establishing more rigid guidelines.

**Membership Requirements (630.25)**

a. The LECP is available to young men and women who:
   1. Desire a career in law enforcement.
   2. Are between 16 and 20 years of age.
   3. Maintain a 2.0 grade point average in high school.
   4. Have no arrests or convictions that would prohibit employment as a Portland Police Officer.
   5. Possess a valid driver’s license by the age of 18.

b. Applicants who have a physical or mental disability will be evaluated to ensure they can participate in all the essential components of the program with or without reasonable accommodation.

c. Prior to full participation in LECP, applicants must complete their scheduled training program (i.e., Cadet Academy).

d. Successfully complete a background check and oral interview.

**Cadet Responsibilities (630.25)**

a. Cadets have no police powers.

b. Cadets will adhere to all applicable directives and SOPs.

c. Cadets will not drive Bureau or Post vehicles outside of the academy or Post training before reaching 18 years of age.

d. Cadets will operate the emergency lights of a police vehicle only when they are:
   1. Within a designated accident or incident scene.
   2. At the scene of a traffic hazard requiring traffic control.
   3. So directed by a law enforcement officer.

e. Cadets will only access LEDS and NCIC after training and certification from the Records Division (Records). Cadets must be 18 years of age to qualify for training and certification.

f. Cadets will only access police reports under the direction of a sworn member, and obtain reports from Records through that member’s request of Records.

**Cadet Activities (630.25)**

a. Cadets still attending high school will not be allowed on the night relief if the following day is a school day.
b. Cadets will be limited to no more than ten hours of duty per day, unless authorized by their respective advisor.

c. Cadets will be taught traffic control techniques and may perform traffic duties under the direct supervision of a sworn member.

d. Cadets will be used in those operations that are not usually staffed by members. Cadets may be used to supplement members during special events, which may include:
   1. School event or church carnivals.
   2. Special holiday events.
   3. Parades.
   4. Delivering food baskets (after initial assessment by a district officer).
   5. Traffic control.
   7. Vacation house checks.
   8. Elder person house visits.
   9. Search and rescue.
   10. Taking reports of found property (i.e., bicycles, but not contraband).
   11. Completing Investigation Reports on towing of patrol vehicles assigned to them.

e. While on duty, Cadets will have radio and/or telephonic communication with the Bureau. Training in proper radio communications procedures will be required of all Cadets.

Ride-Along Policy (630.25)

a. Cadets participating in ride-alongs will obey any and all directions given them by their officer partners.

b. Either the Bureau member or cadet may terminate the ride-along at any time.

c. On calls involving casualties or the threat of casualties, cadets may be used for guiding emergency vehicles to the incident.

d. On any felony-in-progress call, the responding member has the option of:
   1. Allowing the cadet to ride to the scene and remain in the vehicle to maintain radio contact.
   2. Selecting an appropriate drop location and letting the cadet out of the vehicle. Cadets are not to be dropped off in high crime areas. The member must then notify a supervisor who will then have another member pick up the cadet.

e. Cadets will adhere to the provisions of the pursuit directive regarding ride-alongs.
Organization (630.25)
a. The basic unit of the LECP is the Post. Any major unit of the Bureau may
sponsor a Post.
b. The organizational structure of a Post will be designed to mirror the or-
ganizational structure of a precinct or unit.
c. To promote better understanding of the Bureau ranking structure, the
duties of each rank/position and to be consistent throughout the Bureau,
cadet ranking will be:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Insignia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post commander (Commander)</td>
<td>Silver oak leaf cluster, or double silver bars (for units other than precincts)</td>
</tr>
<tr>
<td>Lieutenant</td>
<td>One silver bar</td>
</tr>
<tr>
<td>Sergeant</td>
<td>Three silver chevrons</td>
</tr>
<tr>
<td>Field training officer</td>
<td>FTO pin</td>
</tr>
<tr>
<td>Cadet</td>
<td>None</td>
</tr>
<tr>
<td>Probationary cadet</td>
<td>None</td>
</tr>
</tbody>
</table>

Cadet Identification Number (EIN) (630.25)
a. Each Cadet Post will issue and record their own cadet Identification
Numbers (EIN). Cadet Posts will adhere to the following sequence for
their EINs: North Precinct 7521-7540, Northeast Precinct 7621-7640, Southeast Precinct 7721-7740, Central Precinct 7821-7840, East Precinct 7920-7940.

Post Advisors (630.25)
a. The activities of the Post will be coordinated through a Post Advisor who
must be a sworn member of the Bureau.
b. The advisor will be assisted by an Associate Post Advisor who will be a
sworn member of the Bureau or a retired cadet who is at least 21 years old,
or other as approved by the precinct commander, who wishes to continue
volunteer community service.
c. Individual Post Advisors are responsible to:
   1. Ensure completion of received Cadet Application forms, including
      the background investigation.
   2. Maintain a field 201 file on each active member of their Post.
   3. Forward originals of personnel paperwork to the Personnel Division
      (Personnel) for inclusion in Cadet’s 201 file (applications, letters of
      commendation, termination paperwork, etc.) with a copy sent to the
Cadet Coordinator.
4. Train their Post members.

Oversight and Advisory Board (630.25)
a. A board of Cadet Advisors will be established and maintained to facilitate communication between Posts.
b. The board will advise the Chief of Police, or designee, and RU managers, as requested, regarding cadet issues.
c. The board will be composed of at least one advisor from each Post.
d. The board will meet at least quarterly, as agreed upon by the majority of its members.
e. Any comments, commendations or complaints regarding the Cadet Program will be directed to the board of advisors.

Personnel Division (630.25)
Personnel will maintain personnel files on Post members consistent with current procedures for Reserves.

630.29 GRAFFITI
Index: Title
Refer: City Code 14B.80 Graffiti Nuisance Property
       City Code 22 Hearings Officer
       City of Portland Graffiti Handbook (ONI)
       City of Portland Notice of Hearing
       Graffiti Nuisance Property Certified Letter (Operations Branch)
       Graffiti Nuisance Property Warning Letter (Operations Branch)

PROCEDURE (630.29)
Directive Specific Definitions
Graffiti: Unauthorized markings, visible from premises open to the public, that have been placed upon any real or personal property such as buildings, fences, structures or similar types of surfaces, through the use of spray paint, ink, chalk or dye or any other similar substance or the unauthorized etching or scratching of such described surfaces.

Graffiti nuisance property: Property upon which graffiti has been placed and is visible from premises open to the public and permitted to remain for more than ten days after the property owner of record and/or responsible party or occupant has been given a written notification requesting that the graffiti be removed as well as referrals to an organization(s) which supply a low cost graffiti cleanup.
Precinct Commander Responsibilities (630.29)

When a precinct commander has been advised by the following specific set of people, members of the Neighborhood Response Team (NRT) Neighborhood Liaison Officer (NLO), neighborhood coalition, or the City’s Graffiti Task Force, that a property has become a potential Graffiti Nuisance Property, the problem has been substantiated by PPDS statistics for Information and Referral’s (I&R) Graffiti Hotline, and he/she believes that a property is a potential Graffiti Nuisance Property, the commander may appoint a sworn member to pursue remedy as defined in City Code 22. This work should be coordinated with the City of Portland graffiti abatement coordinator.

Notifications/Enforcement (630.29)

At the direction of the commander, the owner(s) of record and/or the responsible party, may be notified in writing using the Graffiti Nuisance Property Warning Letter, delivered by mail or in person, that their property has been identified as a potential Graffiti Nuisance Property. The Graffiti Nuisance Property Warning Letter, which explains that abatement attempts have been unsuccessful, and provides directions for assistance in graffiti removal, will be issued.

Notification in Person (630.29)

If, after initial notification, ten days have elapsed and the graffiti remains on the property, the commander may order a sworn member(s) to re-contact the owner/responsible party in person. Upon contact the member should investigate why the nuisance has not been abated. If the member finds that the owner/responsible party has not taken reasonable steps to abate the nuisance, the member may initiate a Notice of Hearing.

Notification by Mail (630.29)

In the event members are unable to contact the owner/responsible party in person, a certified letter may be sent to the owner of record and/or the tenants. This letter names the property as a Graffiti Nuisance Property, the precise conditions leading to this finding and requires removal of the graffiti within 72 hours.

If the owner fails to respond to the certified letter, and/or the member finds that the owner/responsible party has not taken reasonable steps to abate the nuisance, the member may initiate a Notice of Hearing.

Notice of Hearing (630.29)

To initiate a hearing before a City’s Hearing Officer, a Hearings Notice must be filed with the Hearings Office, either in person or by mail. The Hearings Office will assign a date. With this date the notice can then be served to the owner/responsible party to appear before the Hearings Officer in accordance with City Code 22.
POLICY AND PROCEDURE

630.30 COMMUNITY POLICING CITIZEN RIDE-ALONG PROGRAM

Index: Title; Ride-along Requests
Refer: DIR 630.05 Vehicle Pursuits
       Ride-along Request Form (Intranet)
       Ride-along Vest/Jackets (Facilities)

POLICY (630.30)
The ride-along program is designed to promote a mutual understanding and
respect between the police and the community by providing the opportunity for
citizens to ride with and observe members performing their job. The ride-along
program is a tool which increases the community’s understanding of police policies
and procedures. The program helps reveal the complexity and variety of services
performed by Bureau members and is a valuable tool in introducing potential
recruits to the duties and responsibilities of police work in the City of Portland.

PROCEDURE (630.30)
Directive Specific Definitions
Ride-alongs: Individuals who ride as an observer with a member in a police
vehicle to observe police actions.

Community Member Responsibilities (630.30)
Citizens are welcome to apply for a ride-along. Ride-along applicants are re-
sponsible for completing and adhering to the Ride-Along Request form.

Member Responsibilities (630.30)
a. When received, forward completed and signed Ride-along Request form to
   the appropriate relief sergeant; direct the citizen to verify their ride-along
   request 24-hours in advance with the relief sergeant.
b. Prior to facilitating the ride-along, the member will ensure that the Ride-
   along Request form has been signed by all parties involved, and a records
   check of the applicant was performed.
   1. The police records check for a ride-along applicant shall consist of
      a Portland Police Data System (PPDS) records check, the Law
      Enforcement Data System/National Crime Information Center (LEDS/
      NCIC) inquiry, Computerized Criminal History (CCH) and Depart-
      ment of Motor Vehicle (DMV) check.
   2. Forward the signed Ride-along Request form to the relief sergeant,
      attaching the printouts of the records checks. Members are encour-
      aged to keep a photocopy of the Ride-along Request form in the event
      of an emergency.
c. Ride-alongs must be at least 16 years of age. Exceptions to this minimum
   age must be authorized by the RU manager. In addition to the minor sign-
ing the form, their parents/guardians must also sign.

d. Instruct the ride-along in his/her basic role:
   1. Remain in or return to the police vehicle during dangerous and sensi-
      tive situations (i.e., homicide, sex crime, deaths etc.).
   2. Comply with all directions given by a member.
   3. Do not operate equipment, unless a member’s safety is an issue or
      receive member permission.
   4. Be an observer. Do not become involved verbally or physically un-
      less an officer’s safety is an issue or directed to do so. The City will
      not be liable for a ride-along’s unauthorized intervention.

e. Ride-alongs must be in civilian clothing and wear a ride-along vest/jacket
   on their outer clothing at all times when in the field. When not in the field,
   the vest/jacket may be removed (i.e., in a restaurant for meals, community
   meetings, etc.).

f. Ride-alongs will not carry a firearm, even if they have a concealed weapons
   permit. The exception is a certified police officer.

g. Ride-alongs will not enter and/or remain in a major crime scene.

h. Ride-alongs will limit their movements, absent exigent circumstances, to
   places open to the public and places to which the ride-along has consent
   to enter.

i. Members with citizen ride-alongs will not become involved in vehicle
   pursuits.

j. The personal safety of the member and the Bureau’s responsibilities to
   the community will be considered at all times. Therefore, members may
   terminate a ride-along at any time. If a ride-along has to be terminated,
   the member will take into consideration the rider’s age and drop them off
   at a safe location, (i.e., convenience store, fire station, restaurant, etc.).

Relief Sergeant Responsibilities (630.30)

a. Approve, disapprove or reschedule ride-along requests, taking into con-
   sideration:
   1. Staffing level.
   2. Number of other ride-alongs on the relief.
   3. Records check.
   4. Appropriateness of the request.

b. Ensure that a records check is completed prior to a ride-along.

c. Request a volunteer member for the ride-along, or may assign the ride-
   along to an appropriate member.

d. Ensure one ride-along per car. Exceptions must receive the sergeant’s
   pre-authorization.

e. Ensure the signed ride-along form is placed into the permanent ride-along
   storage file at the precinct.

f. Monitor the number of ride-alongs taken by an individual.
RU Manager Responsibilities (630.30)
  a. Facilitate the storage of Ride-along Request forms in alphabetical order for 10 years. This will allow retrieval in the event of a witness subpoena.
  b. Pre-authorize, by signing the Ride-along Request form, any ride-along which involves riding within the past 12 months or when less than 16 years of age.
  c. Ensure the availability of the ride-along vest/jacket.

630.31 ASSISTING MOTORISTS
Index: Title

POLICY (630.31)
Members who come into contact with person(s) who are stranded at a location or in need of assistance (such as, but not limited to, a person stranded on the freeway when his/her vehicle has been towed), will offer assistance to the person(s) and make every attempt to facilitate their safe removal from such area without compromising officer safety.

630.33 NEIGHBORHOOD OFFICER PROGRAMS
Index: Title
Refer: Neighborhood Response Team Officer (NRT)
       Neighborhood Liaison Officer (NLO)

POLICY (630.33)
The Neighborhood Response Team (NRT) and Neighborhood Liaison Officer (NLO) programs are designed to reduce crime and the fear of crime in neighborhoods and to improve neighborhood livability as well as empower area residents with methods of crime prevention and reduction.

Each precinct will have a NRT and/or NLO Program which follows the general guidelines established in this directive. Each Police Bureau precinct has its own special needs and issues. Therefore, these policies and procedures should not be considered all-encompassing. Precincts will also address issues specific to their particular neighborhoods in their SOP for the NRT/NLO program.

PROCEDURE (630.33)
The recommended responsibilities for NRT and NLO officers are outlined in this directive. Precinct commanders have the authority to enhance the responsibilities of their personnel, as needed.
NRT Officer Responsibilities (630.33)

NRT officers will work directly with members of the community and district officers to address identified neighborhood issues. NRT officers will also:

a. Network with community members, the Office of Neighborhood Involvement (ONI), Crime Prevention Program Coordinators (CPPCs), precinct command and district officers, and work to develop innovative and effective methods to identify and address underlying conditions of problems.

b. Develop and routinely participate in project teams with community policing partners such as Parole and Probation, Animal Control, Office of Neighborhood Involvement, Department of Human Services, OLCC, Housing Authority of Portland, etc., to work on identified problems using a team approach.

c. Provide verbal and written reports of problem solving efforts to immediate supervisors. These reports will detail the problems, concerns and recommendations of community members within the affected neighborhood. These reports will be shared with CPPCs.

d. Be familiar with the SARA method of problem solving and participate in partnership agreements when appropriate.

e. Write and execute missions, warrants or other projects to deal with neighborhood livability issues as appropriate.

f. Respond to follow-up calls from the community and CPPCs.

g. Attend NRT and NLO training.

NLO Responsibilities (630.33)

a. Develop an enhanced knowledge of community resources and key neighborhood contacts, neighborhood concerns, crime patterns and major incidents occurring in the assigned neighborhood.

b. Coordinate crime updates and information and insight into public safety issues.

c. Involve community members in both the identification and resolution of problems.

d. Act as a liaison with neighborhood association members and the Portland Police Bureau.

e. Attend and report on neighborhood association meetings, through channels, to the precinct commander as appropriate.

f. Attend NRT and NLO training.

Enhanced communication between shifts is essential to the success of this program. Members are also encouraged to contact specialized units for assistance with problem solving.

Members Not Designated as NRT/NLO (630.33)

Precinct members not designated as NRT officers or NLOs will assist with directed
patrol activities related to problems identified by the NRT or NLO. Members are
encouraged to initiate and assist in all neighborhood problem solving activities as
well as act as a liaison between community members and NRT officers as appropri-
ate.

Sergeants (630.33)
Detail sergeants need to balance the NLO dispatched workload with their co-
ordination of proactive responses to neighborhood problems. It is important that
sergeants are aware of criminal and livability issues within their member’s assigned
neighborhood areas. Sergeants have the primary responsibility to coordinate the
problem solving efforts. When circumstances dictate, they are responsible for lead-
ing and coordinating the NRT officer and NLO activities in a manner that involves
other bureaus. Sergeants will:

a. Facilitate member acquisition of business cards imprinted with the neigh-
borhood association name.
b. Ensure that members attend neighborhood meetings as appropriate.
c. Monitor progress of problem solving methods and reports.
d. Encourage the use of Partnership, Trespass and Neighborhood Agree-
ments for problem solving when appropriate, and will be familiar with
procedures for each.
e. Identify and arrange for appropriate training for NRT and NLOs.
f. Coordinate projects and information sharing between shifts.
g. Respond to follow-up calls from the community and CPPCs.
h. Attend NRT and NLO training.
i. Review schedules for proactive patrol activity and neighborhood meet-
ings.
j. Encourage creative problem solving and neighborhood involvement.
k. Attend meetings with NRT and NLOs, CPPCs and command staff as ap-
propriate.

Precinct Commanders (630.33)
Precinct Commanders are responsible for directing the NRT/NLO programs
within their precinct and identifying ways to enhance the problem-solving activi-
ties of their personnel.
In addition, precinct commanders will:

a. Review community policing activities of NRT/NLOs.
b. Report to the Chief of Police or designee on community policing activities
   occurring within their precincts and the status of the NRT/NLO programs
   as requested.
c. Ensure inter-shift and intra-shift coordination and information sharing
   with other units.
Chief of Police’s Office (630.33)

Chiefs will provide program direction and expectations. The Branch chiefs and Chief of Police will assist precinct commanders in developing NRT/NLO program implementation strategies and provide overall guidance for reporting and accountability.

630.36 WRITINGS FOR PUBLICATION

Index: Title

PROCEDURE (630.36)

Members are encouraged to engage in writing which is law enforcement oriented to improve the police image, (i.e., writing articles for professional journals). Prior to publication of any material while claiming to be a representative of the Bureau, members will submit a written request and a copy of the written material, through channels, to the Chief of Police for permission to publish the material.

630.37 PARTNERSHIP AGREEMENTS

Index: Title; Problem-Solving Method, Evaluation/Assessment; Good Neighbor Plans

Refer: City of Portland Partnership Agreement Workbook

POLICY (630.37)

Members will be trained, recognized and supported in problem-solving and Partnership Agreements. The Bureau recognizes that the quality of life and the reduction of actual crime, as well as the fear of crime, is greatly impacted by problem-solving initiatives of the Bureau and concerned members of our community.

PROCEDURE (630.37)

Directive Specific Definitions

City of Portland Partnership Agreement Workbook: A city-wide problem-solving workbook, which culminates in and supports a Partnership Agreement. The format for the workbook was developed by the Office of Neighborhood Involvement, District Coalition Boards and the Bureau. A copy of the workbook is available through Strategic Services Division (SSD).

Good Neighbor Plans: Plans of action pre-dating Partnership Agreements. These agreements have their roots in land use issues.

Partnership Agreements: Assist to define the strategies and responsibilities of different resource providers in leveraging and managing resources against a livability issue or problem. The agreement does not depend on enforceability in a
court of law for its value, but rather on the spirit of cooperation and willingness to work together to make our community a better, safer place to live and work.

**Member Responsibilities (630.37)**

a. Assist in problem-solving partnerships, as both a facilitator and participant.

b. The Partnership Agreement Workbook should be used whenever developing a Partnership Agreement in order to document the process.

c. Members shall not volunteer unknowing resource providers, (i.e., Records Division, Information Technology Division, SSD).

d. Special attention shall be given to the dissemination of criminal justice information (DMV, LEDS, NCIC, or PPDS computer information or printouts, and copies of police reports) to anyone outside the Bureau. The Records Division or City Attorney’s Office can be contacted for assistance.

e. Members shall strive to ensure that agreements are consistent with Bureau goals and values and meet federal, state, county and city law.

f. Members shall submit a Partnership Agreement or Good Neighbor Plan for RU manager review before they sign and engage the Bureau.

g. Keep the PIO (Public Information Officer) apprised of agreements being developed.

h. After signing, a copy of the Partnership Agreement and the supporting workbook will be forwarded through channels to SSD where they will be indexed and placed on file as a reference and made available for others.

**Supervisor Responsibilities (630.37)**

a. Assist members and citizens to the degree necessary and practical to develop and implement a partnership agreement.

b. Review agreements to assure the following components are clear:
   1. Problem statement.
   2. Goal(s).
   3. Response strategies.
   4. Assignments or responsibilities of resource providers.
   5. Dates: anticipated starting, anticipated ending, and assessment/evaluation date.
   7. Assessment method identified.
   8. Copy of workbook.
   9. Agreement is consistent with Bureau policy and goals.
      10. Agreement is not in conflict with other agreements.
   11. Agreement does not unknowingly commit an RU, city or private agency to some action they have not agreed to do. (Check to see if
they are a signer.)
12. Bureau has resources to fulfill its commitment.

RU Manager Responsibilities (630.37)
Because members sometimes change assignments before Partnership Agreements are fulfilled, and because agreements and Good Neighbor Plans sometimes have budgetary implications and can be in conflict with goals and values, it is the Bureau’s policy that an RU manager review will occur before a member signs and engages the Bureau into an agreement. This is not meant to preclude or discourage member’s participation in and development of agreements.

a. RU Managers will ensure that members are appropriately supported and recognized for their initiative in problem-solving.
b. Review Partnership Agreements or Good Neighbor Plans.
c. Ensure the participants who are instrumental in the agreement’s strategies and those who were instrumental in the development of the partnership agreement sign the agreement.

Strategic Services Division Responsibilities (630.37)

a. Maintain, as complete as possible, a reference resource library and index of Partnership Agreements occurring within the City, regardless whether the Bureau is a signatory or not.
b. Partnership Agreement indexes are available through the Intranet.
c. Provide completed Partnership Agreements, Workbooks, or Partnership Agreement indexes on request.
First response (Fire): A fire engine, truck company or fire rescue capable of providing advanced first aid medical care and are dispatched under BOEC operating procedures to most medical calls to provide Basic Life Support (BLS) until an ALS ambulance arrives.

Medical Dispatch: Housed within BOEC, is responsible for operating a centralized emergency medical call receipt and dispatch function serving all of Mult. Co.

Office of Emergency Medical Services (EMS): A Mult. Co. agency responsible for overseeing EMS, licensing/approving ambulance companies and fire departments to operate as EMS service providers and establishing dispatch protocols used by BOEC.

Telephone Requests (630.40)
Members who receive telephone calls requesting ambulance service should either:

a. Tell the caller to dial 9-1-1.
b. Transfer the call to 9-1-1.
c. Obtain the exact location where the ambulance is needed, the caller’s phone number, a brief description of the emergency and relay the information to BOEC.

Requests Through Police Dispatchers (630.40)
Members may order EMS through the dispatcher on any operational police radio channel. The police dispatcher should be provided the following information:

a. Exact location of the emergency.
b. The type of incident involved, (i.e., traffic accident, shooting, illness, cutting, fire, heart attack, etc.).
c. The requested response (Code 1 or 3).
d. The number of persons needing medical attention.
e. Hazards at the scene, if any.

The dispatcher will relay the information to the medical dispatcher, who will dispatch the appropriate type of ambulance (fire rescue, Code 1 ambulance or Code 3 ambulance). All requests for medical response will be honored, including requests for fire rescue first aid calls.

Specifying Code 1 or Code 3 Response (630.40)
When ordering EMS, members may specifically request a Code 1 or Code 3 response. An ALS ambulance is dispatched on all (both Code 1 and Code 3) police requests for service. Specifying the type of response should be done only when the member, based on the apparent signs and symptoms, is able to distinguish between life threatening and non-life threatening conditions. Examples of life threatening emergencies are, but are not limited to, when the patient is:
a. Unconscious.
b. Not breathing.
c. In shock.
d. Experiencing chest pains and has:
   1. A history of heart problems.
   2. Shortness of breath.
   3. Age over 30 years.
e. Displaying bizarre behavior (violence, extreme strength, immunity from
   pain etc.) associated with drug induced psychosis/excited delirium, or
   extreme mental disturbance.

Based on information provided when the request for service is made, BOEC may
send a Code 3 response, even if a Code 1 is requested.

Police Response on Medical Calls (630.40)

BOEC will dispatch members in addition to medical responders, when the
reported incident is, or appears to be, within the scope of the police mission,
(i.e., the protection of life or the investigation of a crime). BOEC will be alert to
circumstances requiring police involvement such as child abuse/neglect, attempt
suicide, unattended (by medical authority) deaths, etc.

a. In situations where there exists doubt, due to possible criminal action or
   where hazardous conditions exist, a unit will be dispatched. Incidents,
   which require police and medical response, will necessitate simultaneous
   dispatch.

b. If the location of the reported incident is determined to be unstable due to
   a hazardous situation (i.e., a dangerous suspect present who is not yet in
   custody), emergency responders will be staged at a remote location until
   the situation is stabilized.

c. If, after arriving at the scene, a member determines that fire suppression
   or other PFB action is required, the member will notify the dispatcher and
   request the specific fire equipment that is needed. Members should never
   assume that Fire’s medical responder will be equipped for fire suppression,
   extraction or other action.

d. EMS response should not be canceled unless nothing is found or there are
   no patients or victims at the scene. EMS response may be slowed down
   from Code 3 to Code 1 when no care appears to be needed, a patient
   requires only first aid or the patient refuses treatment and/or transport.

City Cabs (630.40)

If a medical transportation request involves a non-emergency injury or illness
and the patient is indigent, a City Cab will be used. BOEC is authorized to order
a City Cab in response to telephone requests from indigent persons wanting non-
emergency medical transportation to the nearest hospital emergency department.
The patient will be taken to the nearest hospital. Members will not specify a hospital. If a patient is currently being treated at a hospital other than the nearest one, the member must inform the dispatcher when the cab is ordered. Without BOEC authorization, the cab will take the patient to the nearest hospital.

Generally, the sick or injured person should be physically able to make or confirm the request for transportation. In doubtful situations, an ambulance will be dispatched. Members will order City Cabs through the Service Net. The taxi company designated by BOEC, through monthly rotation, will be dispatched. Welfare patients are not eligible for City Cabs. If the patient has a welfare card, they must call the cab company themselves and give them the name of his/her caseworker.

City Cab transportation is one way to the hospital only. The patient must find his/her own transportation home. City Cabs do not transport to the Veterans (VA) Hospital. Patients destined for the VA Hospital should contact the hospital directly.

Traffic Accident Victims (630.40)

Persons injured in traffic accidents will not be transported in taxis to seek medical care, unless the victim specifically requests transportation by taxi.

Air Ambulances (Life Flight) (630.40)

Life Flight will be ordered through BOEC. Life Flight should be considered when:

a. Patient(s) are suffering from serious burn injuries; fire, chemical, radiation, etc.

b. There are five or more patients with serious injuries.

c. Patient(s) with life threatening injuries/illnesses require transportation to a hospital from a remote or inaccessible (from the ground) locations (e.g., freeway accidents where ground traffic is seriously impeded).

During nighttime operations and as the aircraft approaches, members should never shine lights directly at the aircraft as bright lights may blind the pilot. Members should use their vehicle’s overhead lights to help the pilot identify the landing zone’s perimeter.

Once the aircraft has landed, members should never approach the aircraft unless directed to do so by a flight crewmember. If directed to approach the aircraft, members should approach from the front only. Members should never transport a patient to the aircraft alone but rather wait within a safe area for the flight nurse to approach and prepare the victim for transport.
630.45  EMERGENCY MEDICAL CUSTODY TRANSPORTS

PROCEDURE (630.45)

Transportation of Subjects

Members will not transport subjects who appear to be seriously injured, seriously ill, or unconscious unless an on-scene evaluation by EMS determines the subject is cleared for officer transport. This includes, but is not limited to any subject who:

a. Appears to be suffering from excited delirium. Symptoms may appear as severe agitation, over stimulated or wired appearance, paranoia, disorientation, extreme restlessness, involuntary twitching of small muscles and hallucinations.

b. Suffers any seizure prior to (per witness statements or self-proclamation) or during police contact.

c. Displays respiratory difficulty, including but not limited to, shortness of breath, extreme wheezing, etc.

d. Displays obvious signs of head trauma or loss of consciousness prior to (per witness statements or self-proclamation) or during police contact.

e. Appears to be extremely intoxicated and/or under the influence of drugs in conjunction with any of the above symptoms and has been involved in a prolonged physical altercation.

Member Responsibilities (630.45)

On-scene

Members will notify a sergeant if EMS is called to a scene for transport and the reason for the transport. The sergeant will respond to the scene or consult with the officer using radio or Nextel.

EMS personnel at a scene will determine whether an in-custody subject requires medical treatment and, if so, whether the subject requires ambulance transport to a hospital for further medical evaluation, or can be transported to jail or another holding facility by members. Members will advise EMS personnel of the custody status of the subject (i.e., arrested with criminal charges, police hold, etc.) as well as any use of force against the subject. A subject in custody will not be able to
refuse medical treatment or leave while in custody. The arresting member(s) will make themselves available to provide complete and thorough information to EMS personnel. If the arresting member is unavailable due to injury or other legitimate reasons, witness officers will provide the information to EMS.

If EMS determines a subject requires EMS transport, a thorough search of the subject will be performed, incident to arrest, when feasible, prior to the subject being placed into the ambulance. If AMR personnel request that a member ride in the ambulance during a transport, a member will be assigned the task. The ranking officer at the scene may assign a member to ride in the ambulance with a subject whether or not EMS personnel request.

If members transport a subject to jail or another holding facility, EMS will provide the transporting member(s) with a copy of the Pre-hospital Medical Treatment Worksheet.

Members will not sign a medical refusal form on behalf of a subject. Any such request will be immediately reported to a supervisor and documented in the appropriate report.

**MCDC Booking (630.45)**

When members transport a subject to jail or another holding facility after EMS evaluation, members will contact the facility medical staff and provide them with a copy of the Pre-hospital Medical Treatment Worksheet.

If MCDC facility medical staff refuses to admit a subject, the refusing official will document the reasons for refusal on the Pre-booking Emergency Response Record. The medical staff will have the responsibility of determining the appropriate mode of transport of the subject to a hospital.

When MCDC medical staff determines that EMS transport is appropriate, EMS will be called to the location. Subjects will not be placed into a police vehicle after it has been determined that EMS is the appropriate mode of transport.

When MCDC medical staff refuses to admit a subject but determines the subject can be transported to a hospital by police, Members will:

a. Notify a sergeant of the refusal (including the reason(s) for the refusal) prior to transport in a police vehicle.

b. Include in their report the name of the medical staff member who clears the subject for police transport.

c. In cases evaluated by EMS before transport to jail, document in their report that a copy of the Pre-hospital Medical Treatment Worksheet was delivered to facility staff.

**Regardless of Location or Situation (630.45)**

Members will immediately call EMS if they have any concerns or questions regarding a subject’s medical status during an incident or custody situation. EMS will respond and evaluate and assess the subject’s medical condition.
Once on-scene, EMS will have the responsibility of determining the appropriate medical treatment and mode of transport for the subject.

630.50 EMERGENCY MEDICAL AID
Index: Title

PROCEDURE (630.50)
Emergency Medical Aid (630.50)
Members will provide emergency medical aid to ill or injured persons under the following conditions:

a. The member has completed a Bureau approved First Responder or First Aid course within the past three years.

b. The member has been CPR certified within the past year.

c. Primary police duties have been accomplished.
   1. Any immediate danger has been neutralized.
   2. Dangerous subjects have been apprehended or have fled the immediate area.
   3. Any required emergency assistance has been requested by telephone or radio, at the earliest time feasible.

If the above conditions have been met, the member will perform artificial resuscitation, if necessary, using an authorized barrier resuscitation mask. Artificial resuscitation may be performed if the authorized barrier mask is unavailable.

Communicable Diseases Procedure (630.50)
It is possible that in the course of their duties, members will come into physical contact with individuals infected with communicable diseases. These diseases include, but are not limited to, Hepatitis A, B, or C, AIDS, Tuberculosis, Diphtheria and certain venereal diseases. Members contacting individuals in the presence of body fluids should take the following precautions:

a. Wear surgical gloves if there is a possibility of contamination from body fluids, especially blood.

b. Wash hands as soon after contact as possible.

c. Clean and disinfect contaminated skin, clothing and equipment as soon as possible with a 1-to-9 chlorine bleach solution.

d. If it is a possibility that body fluids from an infected individual have penetrated the member’s skin, contact the exposure line and follow reporting protocol. The exposure line phone number is available in the Problem Solving Resource Guide.

e. Write a Special Report documenting the incident.
Surgical gloves and disinfectant solution will be made available in the first aid kits in the precincts.
First Aid Supplies (630.50)

a. Emergency medical aid supplies will be readily accessible to all members. Supplies will be based on the types of injuries that could occur at the place of employment.

b. One properly marked first aid container, adequate to protect contents from damage, deterioration or contamination, will be available in each marked patrol vehicle, police motorcycle, and on each floor of all work areas.

c. Signs stating the location of first aid kits will be posted in conspicuous locations within work areas.

d. RU managers are responsible for the regular inspection, maintenance, inventory and condition of first aid kits.

630.60 VEHICLE DISPOSITION

Index: Title; Alarms, Towing for Car; Autos, Abandoned; Fingerprinting Vehicles; Holds, Vehicle; Insurance, Towing for no Auto; Towing Company Contract Violations; Towing Procedures; Tows, City; Vehicle, Abandoned; Vehicle, Fingerprint Examination; Vehicle, Recovered; Vehicle, Release; Vehicle, Towing

Refer: ORS 806.090 Bond
ORS 806.115 Methods of Satisfying Deposit Requirements
ORS 806.130 Self-Insurance
City Code 14C.10 Police Duties to Inventory Property
City Code 16.04.020 Car Alarms
City Code 16.30 Towing and Disposition of Vehicles
DIR 630.31 Assisting Motorists
DIR 630.61 Stolen Vehicles
Abandoned Auto Officer Intake Form (Records)

PROCEDURE (630.60)

Towing Without Prior Notice Being Mailed to the Registered Owner

Members may tow a vehicle without prior notice being mailed to the registered owner when one or more of the following conditions exist:

a. Vehicle is impeding, or is likely to impede, the normal flow of vehicular or pedestrian traffic.

b. Vehicle is illegally parked in a conspicuously posted restricted space, zone or traffic lane where parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days, or at any time and where the vehicle is interfering or likely to interfere with the intended use of such a space, zone or traffic lane.

c. Vehicle poses an immediate danger to the public safety, other than abandoned (see Abandoned Vehicle Tows section).
d. Member reasonably believes the vehicle is stolen. The sergeant and/or detectives will be notified, and a temporary hold will be placed on the vehicle through Auto Records. Members must detail the reason(s) for believing the vehicle is stolen in their report.

e. Towing is reasonably necessary to obtain or preserve evidence and:
   1. It is immediately apparent to the member that the vehicle itself may be evidence of a crime, contraband, or otherwise subject to seizure.
   2. The member has probable cause to believe that the vehicle contains evidence of a crime, contraband, or an item otherwise subject to seizure and exigent circumstances exist which makes it reasonably necessary to tow the vehicle to preserve the item(s) or to protect them from interference. Following such a tow, a search warrant must be obtained prior to entering the vehicle, unless exigent circumstances require immediate entry.

f. Vehicle was in the possession of a person taken into custody by a law enforcement officer and no other reasonable manner of securing the vehicle is available.

g. Except as provided in section h, a vehicle shall be towed when:
   1. Driver has been cited/arrested for a felony traffic offense.
   2. Driver has been arrested for DUII under ORS 813.010.
   3. Driver has been cited/arrested for Driving While Suspended/Revoked under ORS 811.175.
   4. Driver has been cited for Driving Uninsured under ORS 806.010 (See section titled Driving Uninsured Tows).
   5. Driver has been cited for Operating Vehicle Without Driving Privileges (No Operators License) under ORS 807.010, and the officer reasonably believes that the operator’s license has been expired for 60 days or more, or that the operator has not had a valid driver’s license within the previous 60 days (City Code 16.30.220k3) or a driver’s privileges have been suspended/revoked in another state and the driver does not have a valid Oregon license. Failing to display a valid license shall not be authorization to tow unless a definite status can be established that fits the above criteria or the vehicle must be towed as prisoner’s property.
   6. Driver has been cited for Speed Racing under ORS 811.125.
   7. Driver has been cited for Attempting to Elude a Police Officer under ORS 811.540.
   8. Driver has been cited for Reckless Driving under ORS 811.140.
   9. Member confirmed a warrant for the vehicle over the service talk group.
   10. Member reasonably believes that a car alarm disturbs, or is likely to disturb, any person per City Ordinance 16.30.220i.
h. Unless there is a need to protect the vehicle or avoid a hazard to other drivers, a vehicle should not be towed when:
   1. Vehicle is lawfully parked, the driver is arrested and the driver or owner consents to allow the vehicle to be locked and remain where it is reasonably safe to do so.
   2. Driver is arrested and driver or owner consents to allow a passenger in the vehicle to lawfully continue to drive the vehicle.
   3. Driver is cited for driving while suspended or without a license if a passenger in the vehicle could lawfully continue to drive the vehicle.
   4. There would be an undue hardship or risk for the occupants (i.e., young child or disabled person in the vehicle).

i. Member ordering the tow shall ensure that the driver or other person cited receives the Notice of Impoundment Towing.

Towing With Prior Notice Being Mailed to the Registered Owner (630.60)

Before a vehicle may be towed, prior notice must be mailed to the registered owner in any circumstances involving the violation of a temporary or permanent parking restriction where there is no reasonable need to immediately tow the vehicle (expired meter, in lieu of garage charges, etc.).

Towing Scene Responsibilities (630.60)

Members will wait at the scene for the tow operator to arrive in all situations except parking violations and private tows. The tow companies do not have to complete the tow if a member is not present. Tow companies must appear at the scene within 30 minutes from the time the tow was ordered or they are in violation of the contract, and an alternate company may be called. To register a complaint for late arrival, or any other reason, members should direct a memo or Special Report to the Records Division (Records). On all tows for parking violations, members will write the word TOW in large letters on the face of the parking tag to notify the tow driver that the vehicle is to be towed.

If a reasonable suspicion exists that a vehicle may be stolen, the member will check the vehicle license and VIN for stolen. If the VIN is damaged, or there are any questions as to the stolen status, place a temporary hold for detectives or sergeant. Members shall notify a sergeant or detective of the temporary hold.

Members should ensure that the tow truck arriving on the scene of the request is from the company dispatched for the tow. Except where immediate action is required to protect life or property, members should not allow other tow companies to service the call or stop at the scene to solicit business. Any such attempts to jump the tow call should be noted in the Investigation Report or in a Supplemental Report. If no report is written, an inter-office memorandum describing the circumstances should be written with a copy directed to the Towing Review Board c/o Records.
It is not permissible to allow subjects to remove parts from the vehicle prior to towing. In general, this will include any item that is connected (bolted, screwed, snapped into place or otherwise attached, and includes radios and sound equipment fitted to the vehicle). Personal items (i.e., iPods, cell phones or other valuables) and papers may be removed by the owner prior to towing.

The vehicle must be inventoried by the member prior to the tow pursuant to City Code 14C.10, Police Duties to Inventory Property and this directive, unless evidence could be destroyed in the process. After the evidence has been secured, the assigned investigator will immediately conduct the inventory.

Members will advise citizens requesting release information to contact Auto Records regarding release procedures. Members will advise citizens requesting hearing information on appealing the validity of a tow to contact the Tow Hearing Officer. Citizen complaints regarding individual tow companies should be directed to the Towing Coordinator.

Members will not contact tow companies directly. All tows are to be requested on the BOEC service talk group or via MDC. Exception: Pre-arranged missions that have been coordinated with Records.

Members requesting tows must provide the dispatcher with the following vehicle information:

a. Specific charge(s) and all reasons for the tow.
b. License or VIN number.
c. Make of the vehicle.
d. Location of the vehicle.
e. Hold information (type of hold, detail, etc. when applicable).

Reporting Procedures (630.60)

Members will complete the vehicle and person section of the Investigative or Custody Report for applicable Traffic Crimes (DUII, Speed Racing, Attempt to Elude, Reckless Driving), and a Traffic Violation Tow Report (tows for Driving While Suspended, Operating Vehicle Without Driving Privileges, and Driving Uninsured) whenever a police action results in vehicles being towed, whether due to private party or member request.

All reports completed for a tow will contain all pertinent information as to the reason the vehicle was towed. The name, address, and date of birth of the driver and other parties claiming an interest in the vehicle should be listed in the report. Members shall note in the narrative section of their report that an inventory was completed on all police ordered tows and include in the narrative a list of valuable property identified or seized. Members will ask occupants if there are small or valuable items (i.e., iPods, cell phones or other valuables) the occupants want noted on the property receipt. If property is seized, a Property Receipt will be used.

If the member reasonably believes the vehicle is stolen, a temporary hold will be placed for detectives and sergeants. Members shall notify the detective or sergeant
of the temporary hold. A detailed listing of the criteria supporting the reasonable belief must be included in the report. In those cases where a supervisor approves an exception to the possible stolen criteria, the supervisor’s name authorizing the exception will be noted in the report.

Abandoned Vehicle Tows (630.60)

There are two ways to report an abandoned vehicle. Under no circumstances will a member tow for abandoned.

a. Routine Towing: For abandoned vehicles that do not constitute an immediate and serious public health or safety hazard (including oversized vehicles such as boats, motor homes, trailers, etc.). A uniform member shall use one of the following methods to forward the information on the abandoned vehicle to the Parking Enforcement Division:
   1. Telephone the 24-hour Abandoned Vehicle Hotline (refer to the Problem Solving Resource Guide for the number).
   2. Fax a completed Abandoned Auto Intake Form to the Abandoned Auto Coordinator.
      a) Abandoned Auto Intake Forms will be distributed to each precinct.
      b) Any questions you may have regarding the Abandoned Vehicle Program may be directed to the Abandoned Auto Coordinator (refer to the Problem Solving Resource Guide for the number).

b. 24-Hour Towing: For abandoned vehicles that are an immediate public health or safety hazard or constitute an attractive nuisance (does not mean ugly vehicle), the uniform member will:
   1. Complete the Abandoned Vehicle Intake form (do not chalk the tires).
   2. Write 24-Hour Tow at the bottom, Not Warned on the date line.
   3. List the specific hazardous conditions the vehicle is being towed for in the comments section (required to comply with code).
   4. Fax the completed form to the Parking Patrol Division within 24 hours.
   5. Do not place a warning tag on vehicle.
   6. It is not necessary to issue a parking citation. Abandoned vehicles handled in this manner can be removed by the Parking Patrol Division within two to three days if the inspector determines that the vehicle is hazardous.

Driving Uninsured Tows (630.60)

A member shall tow a vehicle when the member reasonably believes that the vehicle’s operator has no insurance and cites the operator for Driving Uninsured (ORS 806.010). Proof of insurance can be established by showing one of the following:
POLICY AND PROCEDURE

a. A current insurance policy or binder covering the driver, registered owner, or vehicle.
b. A card from an insurance company verifying the issuance validity and current status of a policy (i.e., issue date, expiration date and VIN).
c. Insurance company letter verifying current coverage per OAR 735-050-0120.
d. Certificate of self-insurance issued by DMV.
e. Copy of fleet insurance on rental vehicles and company vehicles.

Any time a member issues a citation for Driving Uninsured, they will tow the vehicle, except where the vehicle is specifically equipped for and operated by a handicapped driver or when a supervisor approves an exception. Members should contact a supervisor to approve an exception when there is inadequate alternative transportation, when there are adverse weather conditions, when towing is likely to compromise member or citizen safety or if the member has other concerns. Refer to DIR 630.31 Assisting Motorists. The tow will be requested on the service talk group or via MDC and the service talk group will be informed via radio or MDC that it is a Driving Uninsured tow. Members may also cite for Fail to Carry Proof of Insurance (ORS 806.012), but this does not mandate a tow.

a. Members towing vehicles for Driving Uninsured are required to wait for the tow operator to respond before leaving the scene.
b. Members will check the vehicle license and VIN for stolen. If the VIN is damaged, or there are any questions as to the stolen status, place a temporary hold for detectives or sergeants and notify them of the temporary hold.
c. When ordering a tow for Driving Uninsured only, the correct description is Towed for Driving Uninsured. When the vehicle is towed for Driving Uninsured and some other towable offense, it should be indicated. An example would be Towed for DUII and for Driving Uninsured.
d. Write TOW on the top right corner of the citation in the area reserved for DA use.

An assessment fee is charged for a Driving Uninsured, No Operators License, DWS, and DUII tow release.

The state law requiring insurance applies to all motorists in Oregon. It makes no exception for motorists who are not residents of Portland or Oregon. Each rental car operator also needs to carry proof of insurance. Motorists should carry the original insurance card with them at all times. For crime prevention reasons, motorists are encouraged to carry the insurance card with their driver’s license rather than keeping it in the vehicle.

Recovered Stolen Tows (630.60)

After verifying stolen status by VIN, recovered stolen vehicles will be towed pending owner notification. If the owner is available, the member may wait a
reasonable period of time (usually 30 minutes) for the owner to come to the scene with proof of ownership.

If the owner of a recovered stolen vehicle is present at the time of recovery, the vehicle may be released to him/her after obtaining proof of ownership, signature, and residence phone number in the appropriate place on the Investigation Report. To avoid liability to the City, the member will immediately notify Auto Records upon releasing a stolen vehicle to the owner at the recovery scene so the stolen status can be removed from PPDS, LEDS and NCIC.

Whenever a stolen vehicle is recovered, the member must notify Auto Records immediately advising them of the recovered vehicle information.

Examining Vehicles for Fingerprints (630.60)

Vehicles may be examined for fingerprints when:

a. A stolen and recovered vehicle is used in another crime.

b. There is a known suspect in a stolen/recovered case, and the fingerprints are needed to place the suspect in the car.

c. A larceny from a vehicle case has a known suspect possessing property from the vehicle and the prints are needed to place the suspect in the vehicle.

d. The vehicle is involved in a crime such as rape, robbery, burglary, etc., and the prints are needed to help identify a suspect.

Specific Examples When Vehicles Should Not Be Printed (630.60)

a. The vehicle is a recovered stolen vehicle with no suspects and no other crime involved.

b. The case involves a larceny from a vehicle with no known suspect.

Any exceptions to this policy for an examination for fingerprints on any vehicle must be approved by a detective supervisor.

Bureau Vehicle Tows (630.60)

a. Members will fill out an Investigation Report when their police vehicle is towed or receives services for which the Bureau is billed (flat repairs, jump start, etc.). The narrative need only include a brief explanation as to the reason for the tow or service.

b. If the vehicle is towed by a private tow company, members will obtain a copy of the receipt and attach it to the completed Investigation Report.

Courtesy Towing (630.60)

Holders of City permits which reserve specific areas for activities such as film/video production, special events, such as parades or marches, or construction are allowed to remove, by towing, vehicles legally parked in the reserved area. In such instances, the permittee pays the towers based on the Tow by the Hour rate...
POLICY AND PROCEDURE

established in the contract.

a. Permittees are encouraged, but in no way required, to use towers from the Contract Rotation.

b. If a Tow Contractor has been hired by a permit holder, such as an event coordinator or production company, etc., to provide courtesy towing from the public right of way, the Tow Contractor shall notify the Tow Desk and PPB Auto Records no later than 48 hours before the event.

c. Each courtesy tow from public right of way must be ordered by an authorized City official, either Parking Patrol Deputy or Police Officer.

d. Procedures established by the Bureau of Traffic Management for parking control must be followed.

e. The Tow Contractor must pre-arrange any necessary credit arrangements with the permittee to assure payment for towing and dispatching services. The tower will be billed for dispatching by Tow Desk; as usual.

f. The authorized City official may direct that the vehicle be moved to another legal parking space on the public right-of-way to any storage facility designated by the City, or to private property, provided the permittee has secured the permission of the property owner.

g. Tow Contractor shall notify the Records Division of the Police Bureau of the exact location of each towed vehicle within one hour of the completion of each tow. This is for the owner’s information and to prevent a vehicle from being reported and recorded as stolen.

h. Vehicles that the permittee wishes to exempt from towing must be identified, either by company signs, painted or magnetic, on both sides of the vehicle or by a complete and clearly displayed Reserved Area Identification Card, supplied by the permit center. Once an officer has been called to order a tow, all vehicles in the restricted area that do not have proper identification cards displayed shall be towed and all tows will be of the same type.

i. The permittee will bear all costs of towing and storing a vehicle for a period of not more than 72 hours. If the vehicle is towed and stored at a private facility and the owner fails to pick up the vehicle within 72 hours after it is towed, the vehicle owner may be charged a storage fee as set out in the Contract for Vehicle Towing and Storage.

Private Request Tows (630.60)

Members should order private request tows only when towing assistance is specifically requested by the driver, owner or other person in charge of a disabled vehicle. If the vehicle owner is present but unable to request towing assistance due to injuries or other circumstances, the member will request a private tow when:

a. Removal of the vehicle is necessary to protect the vehicle and/or its contents or because it is a hazard.
b. It is reasonable to believe that the person in charge of the vehicle would request the towing assistance, if able to do so.

If possible, the member ordering a private request tow should notify the responsible party of the vehicle disposition (location of tow lot, etc.). It is not necessary to complete an Investigation Report for private request tows when the member provides only telephone service to the private party.

**Impoundment of Vehicles (630.60)**

Members shall impound vehicles when the driver has been cited for the following:

a. **Prostitution Offenses:**
   1. Prostitution (ORS 167.007).
   2. Promoting Prostitution (ORS 167.012).
   3. Compelling Prostitution (ORS 167.017).

b. **Drug Offenses:**
   1. Unlawful Delivery of an Imitation Controlled Substance (ORS 475.912).
   2. Possession/Delivery/Manufacture of a Controlled Substance (ORS 475.840).
   3. Distribution of a Controlled Substance to Minors (ORS 475.906).
   4. Manufacture or Delivery of a Controlled Substance within 1,000 feet of a School (ORS 475.904).
   5. Unlawfully Engaging in the Attempt, Solicitation or Conspiracy of the above listed drug related offenses (ORS 161.405, 161.435, 161.450).

A Notice of Impoundment will be issued by the officer making a charge under this section or impounding a vehicle for violation of ORS 811.125 (speed racing), ORS 811.182 (Criminal DWS/DWR), ORS 813.010 (DUII), ORS 811.540 (Fleeing or Attempt to Elude), or ORS 811.140 (Reckless Driving). The Notice of Impoundment is required by the Asset Forfeiture Unit (AFU) in order to process the vehicle and it serves as a receipt for the vehicle. The Notice contains information to assist the owner in the recovery of the vehicle.

Vehicles that have been impounded will be towed to the Rivergate Storage Facility with a hold placed for AFU. All charges need to be listed on the report as well as given to the Tow Desk via MDC or radio. The white copy of the Notice of Impoundment goes to the driver/owner and the yellow and pink copies accompany the other reports to Records. The Towing Ordinance does not apply to City Code violations such as Loitering to Solicit Prostitution and Unlawful Prostitution Procurement Activity (UPPA).

**Holds (630.60)**

Police holds will be placed on vehicles only when necessary to further an inves-
tigation (locate or identify a suspect, gather or preserve evidence which was not processed at the scene of an incident) or hold for AFU. Holds for evidence must be designated for a specific unit or detail.

**Temporary Hold (630.60)**

Temporary holds will expire 72 hours following placement, excluding weekends (1601 hours Friday to 0800 hours Monday) and holidays.

It is the responsibility of the member ordering the tow to notify the proper investigative unit by phone or in person when any temporary hold is placed on a vehicle. Notification will be noted on the Investigation or Custody Report. If the member places a temporary hold on the vehicle after it has been towed, the member will contact the investigative unit and Auto Records as soon as possible within their same shift to advise them of the hold and the investigative detail for which the hold was placed.

Members placing holds on vehicles for fingerprinting will notify Forensic Evidence Division (Forensics) as soon as possible and will advise the tow operator to avoid unnecessary touching of surfaces and to place the vehicle out of the weather until the printing is completed. All vehicles with a temporary hold will be towed to the private tow company’s lot.

The initiating member can lift a temporary hold within his/her shift if the hold is no longer necessary. The investigative unit for whom the hold was placed can lift a temporary hold at any time.

If a formal hold has not been placed on a vehicle before the temporary hold expires, Auto Records will notify the owner that the temporary hold has expired and that the vehicle may be released. A second temporary hold cannot be placed.

Routine temporary holds and holds for prints will be taken to the tow lot, and not to Rivergate Storage Facility. If a formal hold is placed later by a detective, it will be moved to Rivergate Storage Facility by Records.

**Formal Hold (630.60)**

Detectives or sergeants can, if warranted, place a formal hold on an impounded vehicle. Members trained to conduct VIN inspections will be considered investigative personnel and are authorized to place and/or remove formal, temporary, or administrative holds on towed vehicles they are inspecting. This is accomplished by calling Auto Records. A formal hold may be placed immediately upon a vehicle being towed, prior to the expiration of a temporary hold or at any time as long as the vehicle is still in the possession of the tow company. Auto Records will then order the vehicle re-towed to the Rivergate Storage Facility.

After a formal hold is placed on a vehicle, the hold must be verified by sending a completed Formal Hold form to Auto Records.

The investigative unit placing a formal hold on a vehicle is responsible for removing it. The removal can be made by telephoning Auto Records. The call must be followed by a completed Formal Hold form.
Release Procedures (630.60)

Motor vehicle releases will not be issued to any person who is visibly under the influence of intoxicants.

Police tows must be released by Records. Persons inquiring about vehicles in this category will be referred to Auto Records. A tow company cannot release these vehicles without a written release from Records.

The tow company operator must provide access to the owner of a vehicle during regular business hours for removal of personal effects (including vehicle title, insurance policy, etc. with sufficient proof/identification) or perishables necessary for the immediate safety and health of the owner unless such access is prohibited by a police hold or other police instruction. If non-owners request access, they must provide sufficient proof of the owner’s permission to remove property.

Tag warrant releases are obtained from Circuit Court Parking Tags Division after fines are paid. Information regarding tag warrant tows can be obtained from Circuit Court Parking Tags Division.

Towing Company Contract Violations (630.60)

Members with complaints against tow companies will note the specific nature of the complaint in an Investigation Report and indicate Towing Review Board in the distribution box. Records will forward a copy of the report to the Towing Review Board.

Tow Classifications (630.60)

To ensure that proper tow equipment is dispatched, members should use the following codes when ordering a tow:

a. Class A: Any vehicle with a gross vehicle weight (GVW) less than 10,000 lbs.

b. Class B: Any vehicle with a GVW between 10,000 and 20,000 lbs. and equipped with a single rear axle.

c. Class C: Any vehicle with a GVW in excess 20,000 lbs. or equipped with dual rear axles regardless of the GVW.

In any situation where the member believes that the recovery of a vehicle cannot be handled by the class of tow that would normally be ordered, a higher class tow may be called. For example, a full-size, American-made auto can be handled by a Class A tow; however, the same auto over a steep embankment could easily require a Class B truck in order to get the vehicle back on the road.

The GVW of commercial vehicles is usually listed on the doors. If it is not, the GVW is stamped on a plate on the door pillar. Class C vehicles may require air bags to raise them if they have tipped over.

When ordering tows for utility trailers, members should specify if it is equipped with a ball hitch or a pintle hook hitch. This information is important for the tow company because different equipment is required for each type of hitch.
P O L I C Y  A N D  P R O C E D U R E

The following is a list of vehicles and the class of tow that would generally be called:

<table>
<thead>
<tr>
<th>Tow class</th>
<th>Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Implement trailer (empty)</td>
</tr>
<tr>
<td>B</td>
<td>Light truck</td>
</tr>
<tr>
<td>B</td>
<td>Motor home (specify length and make)</td>
</tr>
<tr>
<td>B</td>
<td>School bus</td>
</tr>
<tr>
<td>B</td>
<td>Step van</td>
</tr>
<tr>
<td>B</td>
<td>Utility body truck</td>
</tr>
<tr>
<td>C</td>
<td>Dump truck</td>
</tr>
<tr>
<td>C</td>
<td>Garbage truck</td>
</tr>
<tr>
<td>C</td>
<td>Inter-city/tour bus</td>
</tr>
<tr>
<td>C</td>
<td>Tanker</td>
</tr>
<tr>
<td>C</td>
<td>Tractor only</td>
</tr>
<tr>
<td>C</td>
<td>Tractor trailer combination (doubles, triples)</td>
</tr>
<tr>
<td>C</td>
<td>Trailer only</td>
</tr>
<tr>
<td>C</td>
<td>Truck and trailer</td>
</tr>
</tbody>
</table>

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630.61 STOLEN VEHICLES

Index: Title
Refer: Oregon Vehicle Code
       Criminal Code of Oregon: Chapters 131, 164
       City Code City of Portland
       DIR 630.60 Vehicle Disposition

POLICY (630.61)

It is the policy of the Portland Police Bureau to recover stolen vehicles taken through criminal activity and to refrain from exercising authority in situations involving vehicles taken in civil disputes.

PROCEDURE (630.61)

Reporting

Upon taking a stolen vehicle report, members will immediately call the Auto Records Desk to insure the stolen vehicle is immediately entered into LEDS and NCIC.
Proof of Ownership
In order to accept a report on a stolen car, members will conduct a preliminary investigation. As part of that investigation ownership must be established. One or more of the following may establish proof of ownership:

a. The complainant is the registered owner (per any DMV) which is substantiated by personal identification. Telephone reports may be accepted if the complainant can satisfactorily assure the reporting officer that he/she is the registered owner via corroborating sources (i.e., familiarity with vehicle, type, make, names of other registered owners, idiosyncrasies).
b. The complainant provides documents from DMV indicating process of transfer of title.
c. The complainant has possession of a title signed for transfer.
d. The complainant has possession of a bill of sale from a licensed car dealer on letterhead, dated within the last 60 days.
e. The complainant has possession of a notarized bill of sale, for a private sale, dated within the last 60 days.
f. If the person reporting the vehicle as stolen had possession under a rental/lease agreement, the reporting person must present the valid rental/lease agreement or telephone verification by the rental company.
g. The complainant is the owner of rented or leased vehicle and has completed the requirements set forth in ORS 164.140 (demand letter, 10 or 45 day waiting period, etc).
h. In situations that do not meet the previous criteria, officers must contact a detective or sergeant for authorization to accept a report of a stolen vehicle. If unable to contact a detective or sergeant (i.e., after hours), officers must obtain approval of a supervisory sergeant. The person authorizing the report shall be documented in the report.

Denial of Report (630.61)
A stolen report will not be accepted in civil disputes under the following circumstances:

a. Husband/wife is complainant.
b. Divorce in progress.
c. Divorce completed with court ordered division of property.
d. Boyfriend/girlfriend, domestic partner, roommate, family member or juvenile children of complainant. After 48 hours, a detective or sergeant may authorize that a report be taken.
e. Business partners or associates.
f. Vehicle is held by person(s) performing work on the vehicle (mechanic’s lien).
g. Vehicle in possession of co-signer on contract of purchase.
h. Vehicle taken from a tow company or mechanic’s garage, unless the vehicle
owner is complainant.

i. Vehicle purchased with a non-sufficient fund (NSF) check.

j. The vehicle is rented or leased, without fraud, and requirements set forth in ORS 164.140 have not been completed.

k. New or used car test drive unless twenty-four (24) hours have elapsed from the time the vehicle should have been returned.

l. Stored vehicles, private property or storage facility, for which both parties cannot confirm theft.

m. The complainant is unwilling to prosecute.

n. The theft is a result of illegal activities such as drug transaction without mitigating circumstances (i.e., carjacking, armed robbery, etc.).

o. Commercial or private sale of vehicle, for which partial payment has been made.

A detective or sergeant must authorize a report in unusual cases, with extraordinary circumstances. Notation of authorizing person will be made in the report.

Fraud (630.61)

a. Members may investigate:
   1. Fraud involving a title that has changed parties.
   2. DMV requests to investigate a title to a vehicle that is being registered and is listed as stolen.
   3. Fraudulently purchased vehicles.

b. An Incident/Worthless Document report will be taken by an officer if:
   1. The vehicle was obtained using a NSF, account closed, forged, altered, counterfeit check, security, money order or instrument.
   2. The vehicle was obtained through identity theft. The vehicle will be recorded as evidence with a full description including Vehicle Identification Number (VIN).
   3. Vehicles taken as the result of fraud will be listed as Felony Vehicle in LEDS/NCIC unless a stolen report is authorized by a detective.

Recovering Stolen Vehicles (630.61)

a. All vehicles to be recovered as stolen must be confirmed by VIN and the LEDS/NCIC entry.

b. Recovered stolen vehicles will be towed for safekeeping, pending owner notification, unless the owner is present at the time of recovery. At the officer’s discretion, if the owner is available and can respond within a short time (30 minutes) to recover the vehicle, the vehicle may be released to the owner. Officers will standby until the tow or owner arrives.

c. The vehicle may be released to the registered owner following receipt of the owner’s signature, address, and phone number on the incident report. The releasing officer will immediately notify Records Division/Auto Re-
cords when a vehicle is towed or released in order to remove the vehicle from LEDS/NCIC stolen file.

631.10 DEAD BODY PROCEDURE
Index: Title
Refer: ORS 146.095 Responsibility for Investigation
DIR 612.10 Death Messages
DIR 640.10 Crime Scene Procedures
DIR 640.60 Dying Declaration – Homicide

PROCEDURE (631.10)
Directive Specific Definitions:
Radio Procedures: Due to the prevalence of radio monitors, specific radio codes will be used in describing the type of death the officer is at. The code 55-A will be used when describing a homicide situation. The code 55-K will be used when describing all other deaths.

Medical Response: If the officer observes any signs of life, medical shall be requested to the scene to provide medical attention or determine death. Medical personnel on scene will determine whether the patient will be transported to a medical facility.

Preservation of a Death Scene: If there is a possibility that a crime has been committed, the scene will be preserved by the officers and supervisors on scene until relieved by an investigator or supervisor from the investigative detail.

When death has been established, the following actions shall be taken:

a. The Medical Examiner’s office shall be contacted and provided the details and circumstances surrounding the death. When death appears to have resulted from natural causes and no physician is available to sign the death certificate, or it is uncertain if a physician will sign the death certificate, the Medical Examiner (ME) shall be notified. The member may contact the ME’s office directly or request the ME through BOEC. After discussing the circumstances with the member, the ME may choose to respond to the scene or authorize the release of the remains to a mortuary.

b. The member shall not disturb the body or property at the scene of the death, nor permit any other person, other than the ME, to do so (exception noted in paragraph c. 1). Access to the scene should be restricted to preserve evidence.

c. The member shall assist the ME in investigating the conditions surrounding the death.

d. When the death appears to have resulted from natural causes and a licensed physician who will sign the death certificate responds to the scene, members have no further responsibility except to provide any reasonable
assistance requested by the deceased’s family in their time of need. Members may occasionally be called to the scene of the death of a hospice patient. Hospice situations in Multnomah County can be identified by the presence of a red envelope containing medical information and orders. Hospice patients are under the care of a licensed physician who will sign the death certificate; therefore, the above procedure is applicable.

e. When death has apparently resulted from an apparent drug overdose, suicide, or natural causes (with no family or physician present) and there is no suspicion of foul play, the member shall immediately notify the ME’s office. The ME will respond to the scene and verify the cause of death. If there are no suspicious circumstances surrounding the death, the body will be removed by the ME and the member will prepare the appropriate investigative report.

f. If the ME determines that suspicious circumstances exist or there is evidence that will assist in identifying a suspect involved in the distribution of the drugs associated with the overdose case, the ME may request the member to:

1. Contact the Homicide sergeant on duty during business hours or the on-call Homicide sergeant after hours, and have them respond to the scene to investigate the suspicious circumstances surrounding the death.

2. Contact DVD sergeant during business hours or the on-call DVD sergeant after hours, and have them respond to the scene to investigate the drug connection surrounding the overdose.

The examination of the body and the determination of the cause and manner of death will be the responsibility of the ME’s office.

h. The responsibility for the criminal investigation will be assumed by the investigating detectives or a detective sergeant upon their arrival.

i. If the member determines that the death is an obvious homicide or the circumstances exist that may lead to a homicide investigation, the Homicide sergeant on duty during business hours or the on-call Homicide sergeant after hours, shall be contacted by the supervisor on the scene.

1. The ME shall also be notified of the homicide or the suspicious death. The ME may choose to defer responding to the scene until after the initial assessment by the Homicide sergeant.

j. When death has resulted from a traffic accident, the Traffic Division shall be responsible for the complete investigation into the circumstances surrounding the accident and exchange information, as necessary, with the ME’s office.

k. When a death has occurred on a waterway with the City, MCSO will be responsible for the investigation. If a death, or a crime leading to a death, occurs on land, but the body is found in a waterway, Bureau members will
be responsible for the investigation. MCSO will assist the Bureau with retrieval and transportation of the body, if needed. If a body is found in a waterway, and the initial investigation is unable to determine the investigative responsibility for the scene, detectives and MCSO will consult with each other to determine the responsibility for the investigation.

1. When the body is to be turned over to the ME’s office, it shall be searched by a representative of that office only. Members will not search the body unless otherwise directed by the ME’s office.

   1. The member who has been in charge of the body until the arrival of the ME will remain and be present during the search. The member shall, when possible, remain and sign the ME’s property receipt as a witness. The member will then be provided a copy of the receipt and will attach it to his/her report.

   2. It shall be the responsibility of the assigned member to protect the body and its effects from theft or tampering prior to the arrival of the ME.

m. It is the responsibility of the ME’s office to notify relatives or friends of the deceased. The Bureau shall honor any reasonable request from the ME’s office for assistance in this matter.

When investigative details are contacted or summoned to a death scene, the following responsibilities are to be followed:

1. Drugs and Vice Division (DVD) Responsibilities
   a) The principal criteria for mounting a DVD investigation response will be the presence of actionable investigative leads that offer a strong likelihood of identifying a suspect involved in the distribution of the drugs associated with the overdose death.
   b) The DVD sergeant will evaluate the information provided by the responding officers and determine whether to call out an investigator. If the DVD sergeant believes the case may be something other than an overdose, he/she will re-contact the Detective Division. The Forensic Evidence Division (Forensics) will be contacted for photographs when DVD responds to investigate an overdose death. The DVD investigator will coordinate the investigation with the ME’s office.
   c) If DVD declines to respond, members will conduct the case as any death investigation:
      1) Members will assist the ME’s office and write a report.
      2) Identify and collect any evidence they believe may be relevant (after consultation with the ME’s office).
      3) Contact the DVD sergeant if any new information develops that may lead to identification of the drug dealer.

2. Homicide Detail Responsibilities:
a) The Homicide sergeant will communicate with the supervisor on the scene to ensure that the scene and evidence are being preserved.
b) The Homicide sergeant will coordinate the response of the detectives, criminalists from Forensics, the district attorney’s office, the ME, and any support units necessary for the investigation.
c) Upon arrival, the Homicide sergeant or designee will assume command of the scene and the investigation.
d) Criminalists from Forensics will process the scene and collect any evidence identified as pertinent to the investigation.
e) When requested to respond, or if already present, the ME assumes responsibility for the body and the removal of the body from the scene.

631.30 COOPERATION WITH OTHER AGENCIES

POLICY (631.30)
When a major crime has occurred in Portland and the victim, complainant or witness is located outside of our jurisdiction, the initial investigation will be conducted by the Bureau. For the purposes of this policy, a major crime is a homicide, rape, kidnapping, serious assault, extortion, armed robbery or any felony crime with identified suspect information.

PROCEDURE (631.30)
If the complainant is located within a reasonable proximity to the city limits, the nearest district car will be dispatched to take the report. In these instances, BOEC will notify a patrol supervisor before dispatch. If the crime in question is cold (i.e., not having occurred within four hours of the report) and it is convenient to the reporting party, the reporting party should be directed to the nearest Bureau precinct where the report will be taken. In these instances, BOEC will alert the precinct. If the reporting party is located such a distance from Portland that neither of the foregoing alternatives appears feasible, Detectives should be consulted for direction. BOEC should attempt to solicit normal, over-the-phone data from the reporting party to facilitate immediate attention to suspect or evidentiary information.

For all non-major crimes being reported from a location outside our jurisdiction and having occurred inside the city, the complainant will be asked to either go to the nearest Bureau precinct to meet a member within the city or to report the crime by telephone.
For incidents occurring outside the city and the request originates from an address inside our jurisdiction, a unit will be dispatched or the report will be accepted over the telephone. A copy of the report will be routed to the appropriate police agency.

**Emergency Requests (631.30)**

Routine patrol will not be provided for areas outside of the city, unless approved by a patrol supervisor. The supervisor shall then notify the Relief Commander. Those exceptions should be based on a temporary need by another agency due to a short-term situation. No long-term exceptions will be approved.

Units will respond to priority 1 and 2 calls involving a threat to life in other jurisdictions adjacent to the city limits when requested by that jurisdiction. A supervisor will be notified any time a member is dispatched outside the city limits. Non-life-threatening priority 2 and lower priority calls will not be dispatched without prior approval from a patrol supervisor.

Our participation in another jurisdiction should be to contain the situation and hold it for police personnel from that jurisdiction to arrive. In some cases, a courtesy report will need to be made then submitted to and forwarded from our Records Division to their Records Unit. Under no circumstances will members dispute any call with the dispatcher. They will accept the call and contact a supervisor for advice.

**SERT, EDU and Hostage Negotiations (631.30)**

Response to requests by an outside agency for the Special Emergency Response Team (SERT), Explosives Disposal Unit (EDU) and Hostage Negotiator Team (HNT) will follow the procedures outlined in DIR 720.00 SERT and HNT, Outside Agency Requests. EDU requests must receive approval from the EDU commanding lieutenant or designee, or if unavailable, the Tactical Operations Division (TOD) manager or Operations Branch chief.

Requests for response to distances greater than 50-miles must be approved by the Chief of Police or the appropriate Branch chief.

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**631.34 CRITICAL INCIDENT NOTIFICATIONS**

Index: Title
Refer: DIR 310.70  Dissemination of Information
       DIR 614.50  Release of Information
       DIR 640.10  Crime Scene Procedures
       DIR 762.00  Mobilization
       DIR 763.00  Operational Conditions
       DIR 1010.10  Deadly Physical Force
POLICY (631.34)

Bureau members have a responsibility to advise the Mayor, Chief of Police, Public Information Officer (PIO) and command staff of critical events in a timely manner. It is in the best interest of the citizens and Bureau members to disseminate timely and accurate information as well as follow a protocol for critical incident notifications.

PROCEDURE (631.34)

Directives Specific Definitions

A critical incident is:

a. Member seriously injured or killed.
b. Member involved in the use of deadly physical force (injury or non-injury to any party).
c. Member involved in the use of physical force from which serious physical injury occurs to any person as a result.
d. Member involved in criminal conduct (on or off duty).
e. Homicides.
f. Major incidents.
g. Hostage situations.
h. Barricaded persons.
i. Large confrontations (i.e., demonstrations, riots etc.).
   1. Situations that may induce widespread community fear (i.e., large scale gang activity, chemical/biological weapon use, bomb detonation).
   2. Any event that is likely to interrupt daily activity on a large scale, generate extraordinary community concern or media attention.
j. Serious hate/bias crime occurrence.
k. Fatal traffic crashes.

Notification (631.34)

a. The RU manager will ensure the scene has been secured prior to making any required notifications. The RU manager will notify the Branch chief, and verify that the PIO has been notified in a timely manner. As applicable, the RU manager will verify the Employee Assistance Program (EAP) and appropriate bargaining units have been notified. The Branch chief will contact the Chief of Police also in a timely manner. The Chief of Police may notify other parties (i.e., Mayor, outside agency chief) or designate a Branch chief to do so.
b. The Police Commissioner will be informed of all critical incidents in which the Bureau is a party, events of such a magnitude to be of significant impact upon the community, or events that create substantial media interest.
c. The on-scene supervisor will ensure that the RU manager, shift supervisor,
POLICY AND PROCEDURE

EAP, appropriate bargaining unit, Detective Division supervisor, Crisis Response Team, and DA’s office, as applicable, are notified as required for the incident.

d. The on-scene supervisor will provide the RU manager with as much accurate information as possible without compromising the safety of members, citizens, or the investigation.

e. Notifications must be made by actual contact, face-to-face or via phone. Voice mail or e-mail messages are not acceptable. Several contacts may be made as information is developed.

f. The on-scene supervisor will make a notation of the time and manner by which he/she notified the shift supervisor, RU manager and PIO as part of the after action report.

631.35 PRESS/MEDIA
Index: Title; Media
Refer: ORS 192.502 Exempt Records, Other
       City Code 14C.30.010 Authority to Restrict Access to Certain Areas
       DIR 310.70 Dissemination of Information
       DIR 614.50 Release of Information
       DIR 1226.00 Computer Technology
       PPB Press/Media Guidelines Form (PIO)
       Sample News Release (PIO)

POLICY (631.35)

Public information is a responsibility of all members. Members of the media will be afforded the fullest cooperation consistent with guidelines. Media inquiries relating to police incidents will be handled expeditiously by members investigating the incident, or their designees, without referral to the Public Information Officer (PIO), unless the event is of major interest.

The Bureau subscribes to the Oregon Bar Press Guidelines. Unless the release of information would be detrimental to the investigation or prosecution of a crime, or is of a confidential nature according to public records law, it is generally appropriate to release information in accordance with these guidelines.

Public records law is constantly changing. Questions regarding the release of information or documents should be directed to the PIO or the Records Division (Records) manager.

PROCEDURE (631.35)

General Information Release

a. In most cases, the PIO will not be the only source of information from the Bureau. In the case of general, non-specific inquiries from the press,
members may disclose information in accordance with this directive.

b. Members in charge of an incident or event will see that accurate information is released as soon as feasible, regardless of media deadlines, unless a specific time has been set for a news conference or the release of information is being handled by the PIO.

c. The same information will be provided to all communications media.

d. Members will not prevent members of the news media from taking pictures if they have a lawful right to be at the location.

**Media Access at Crime Scenes (631.35)**

a. At the scene of a major crime, media access will be restricted until the member or supervisor in charge gives permission. Admittance to a crime scene on public property may also be limited if a reporter’s presence would unreasonably obstruct or interfere with the investigation (i.e., gathering evidence, interviewing witnesses and victims, etc.), hamper the carrying out of police duties (i.e., handling an emergency situation), or jeopardize the safety of any person.

b. Members of the media do not have the right to enter private property without consent of the property owner.

c. If an event of major interest occurs, a member will be designated (until the PIO arrives) to assist and direct media personnel to a safe location.

d. In hazardous areas, members of the media may enter at their own risk, after a reasonable level of order or control has been established, and with the approval of the on-scene member, supervisor, or designee in charge. At the scene of an emergency operation (i.e., fire, hostage situation, explosion, cave-in, etc.), members may deny or limit access to members of the media, if their presence creates an unsafe situation for themselves or others.

**Notification of the Public Information Officer (631.35)**

a. The PIO is available to respond to any event which creates a substantial interest and response by the media, and when on scene members require support.

b. In cases where an incident does not require response by the PIO, the on-scene supervisor or designee should answer media questions, and coordinate with the PIO if a news release is required.

c. The PIO may be contacted by telephone or pager. Refer to the Emergency Call List published monthly by the Strategic Services Division.

d. Incidents that require notification of the PIO include, but are not limited to:
   1. All homicides and major crimes of possible new interest.
   2. Serious injury to a member.
   3. Serious or extensive damage to city property.
4. Any explosion or bomb threat requiring Explosives Disposal Unit (EDU) response.
5. Incidents involving large groups of people, (e.g., stadium, coliseum, park or tavern disturbances).
6. All incidents where police firearms are discharged during a police action or incident.
7. SERT/HNT activation.
8. Incidents involving substantial tension among ethnic or minority groups.
9. Serious hate/bias crimes.
10. Incidents causing, or likely to cause, unusual public concern or news media coverage.

On request, the PIO will prepare and distribute news releases of Bureau interest (i.e., awards, announcements, promotions, etc.). Members are encouraged to submit such information to the PIO.

Public Information Coordinators (631.35)

a. RU managers at each precinct, Detectives, Tactical Operations, Traffic, Drugs and Vice, and Family Services Divisions will designate a Public Information Coordinator (PIC) for that division. Other divisions will provide a PIC as requested by the Chief of Police.

b. The PIC will be responsible to coordinate information between his/her division and the PIO, to attend and conduct media-related training, and to serve as a back-up PIO as requested (with a minimum five days of advance notice provided by the PIO).

c. All PIC candidates will successfully complete orientation training provided by the PIO’s office prior to undertaking the responsibilities of a PIC. This training will include, but not be limited to:
   1. Overview and expectations of the PIC position.
   2. Directives pertaining to the dissemination of public information (i.e., DIR 631.35 Press/Media and 614.50 Release of Information).
   3. Techniques and procedures of the PIO’s office.

Media and/or Public Access to Records Files (631.35)

a. Members will not direct members of the media, or the general public, to the Records Division to view reports. Requests for copies of reports by the media and/or the general public will be directed to the Records Division manager, the PIO or their designees. Such requests must be made in writing, and will be reviewed in accordance with applicable public record law.

b. Booking photographs will be released by the PIO through the Forensic Evidence Division.
631.60  PREMISES ENTRY

Index:  Title; Arrest Warrants; Entry, Emergency; Pursuit, Hot; Search and Seizure; Warrants

Refer:  ORS 133.033  Peace Officer; Community Caretaking Functions
ORS 133.140  Content and Form of Warrant
ORS 133.235  Arrest by a Peace Officer; Procedure
ORS 133.535  Permissible Objects of Search and Seizure
ORS 133.575  Execution of Warrant
DIR 720.00  SERT and HNT Use

PROCEDURE (631.60)

Search Warrants
Sworn members may use force to break into a premise to execute a search warrant if, after notice of his/her authority and purpose, he/she are refused admittance.

Arrest Warrants (631.60)
Sworn members may use force to break into a premise to execute an arrest warrant only when all of the following conditions exist:

a. The member has reason to believe that the premise is the residence of the subject sought in the warrant and;
b. The member has probable cause (PC) to believe the person sought by the warrant is currently within the premise and;
c. If, after notice of his/her authority and purpose, he/she are refused admittance.

Emergency Entries (631.60)

a. Under ORS 133.033, any sworn member may make an emergency entry of any premise, without the consent of the person in possession or entitled to possession thereof, if they have reasonable basis for believing the entry into the premise is required to:
   1. Prevent serious harm to any person or property.
   2. Render aid to injured or ill persons.
   3. Locate missing persons.
   4. Assist persons who are mentally incompetent/unable to care for themselves, are unaccompanied by a competent party, and may be in a situation where their welfare is at risk.

Member Responsibilities (631.60)

a. Prior to making an emergency entry to a premise, absent exigent circumstances, members will notify a supervisor of the circumstances justifying the need for an emergency entry.
b. Members making an emergency entrance into a premise must write the appropriate report(s) explaining the justification for his/her actions.

631.65 EMERGENCY BOARD-UP PROCEDURE
Index: Title; Board-Up Procedure
Refer: Vendor Board-Up Contracts (Fiscal)

POLICY (631.65)
The Bureau recognizes that the community has entrusted it to provide emergency protection for property which has become damaged through criminal or accidental acts. Therefore, members will assist property owners by requesting emergency board-up assistance when a location is not secure or its security is at issue.

PROCEDURE (631.65)
Board-up contract vendor(s) will respond within one hour, 24-hours a day, seven days a week. Call out will be through the Bureau of Emergency Communication (BOEC). Fiscal Services Division (Fiscal) will keep BOEC supplied with a current list of board-up vendors.

a. Member Responsibilities:
1. Board-up vendor services are limited in scope: Vendors are only authorized to secure a location. Vendors are not authorized to provide such services as general debris removal, crime prevention through environmental design and other landscaping work. Members will not request or authorize work unrelated to securing the location.
2. Members will normally only request board-up services when an owner of the premise or other responsible person is unavailable. However, in the event an owner or other responsible person is available, but without the means to secure the property, members may order board-up services. Members will advise the recipient that the City will bill them for services rendered.
3. Due to liability claims resulting from screws being used in metal framed windows, vendors may have to enter the premises to secure these types of windows. Therefore, members will need to remain on the scene to allow the vendors to perform a board-up from the inside. There are very few of these types of board-ups per year.
4. Members requiring emergency board-up services will make their requests through BOEC via the appropriate talk group. Vendors are under contract to respond within one hour of notification.
5. A written report is required whenever emergency board-up services are requested, used or canceled. Members will complete a Special
Report if no other report (i.e., Investigation, Custody, etc.) is generated.

6. If a member has problems with a board-up vendor, including their response time, it will be noted in the written report. The member will indicate on the report for a copy to be forwarded to the Operations Branch chief for action.

b. Fiscal Services Responsibilities:
   1. Enter into contracts with board-up vendors.
   2. Provide a current board-up vendor list to BOEC.
   3. Process vendor invoices and forward appropriate copies to applicable parties (i.e., vendor, City’s Risk Management’s Collections Representative).

c. Records Division (Records) Responsibilities: In order to ensure appropriate billing, Records will forward copies of reports addressing emergency board-ups to Fiscal and Police Liability Management (Risk).

d. Board-up Vendor Responsibilities: Abide by vendor contract, negotiated through Fiscal.

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631.70 INVESTIGATION OF ANIMAL PROBLEMS
Index: Title; Animals, Investigation and Destruction
Refer: DIR 640.13 Drug Lab Procedures
       DIR 870.40 Prisoner’s Animals

POLICY (631.70)
It is the policy of the Bureau to work within the contract with Multnomah County Animal Control to provide a prompt and humane response in investigating and correcting animal problems.

PROCEDURE (631.70)
Multnomah County Animal Control (MCAC) is responsible for the investigation of all complaints regarding domestic animals and the enforcement of animal related laws to include noisy, dangerous, loose or abandoned, cruelty to, sick, injured, and dead animals. MCAC is also responsible for protective custody of prisoners’ animals.

Member Responsibilities (631.70)
For non-emergency situations, members will refer the complaint and/or problem to MCAC. Police units will not be dispatched for situations involving barking dogs, dog bites where the animal is presently contained, cats on a roof, strays, loose livestock, etc., unless the animal is creating a hazardous condition.

In emergency situations, members will take appropriate action and immediately
notify MCAC or advise the Bureau of Emergency Communications (BOEC) dispatcher to notify MCAC. Police units will respond to hit and run accidents involving domestic animals and situations where an animal is injured or the animal is dead and is creating a traffic hazard. After MCAC personnel arrive at the scene, members should continue to provide assistance if requested.

Members have the option of calling MCAC to take a prisoner’s animal into protective custody at the scene or impounding the animal and transporting it to the Central Precinct animal holding cage per DIR 870.40. In situations where MCAC is requesting to take prisoners’ animals into protective custody at the scene, members should ensure that MCAC personnel are provided with the name and address of the responsible party for subsequent retrieval by the owner.

Members will not contact privately contracted animal retrieval companies directly. These companies provide after hours response under contract with MCAC. Individual pet owners may be referred to these companies for services at the individual’s own expense.

The Planning Bureau will investigate complaints involving zoning or sanitation problems.

In situations involving non-domestic animals (i.e., deer, raccoons, etc.), members may contact the Oregon Department of Fish and Wildlife for assistance.

**Destruction of Dangerous and/or Destructive Animals (631.70)**

Members encountering injured, dangerous and/or destructive animals may use firearms to destroy the animal under the following conditions:

a. The animal represents an immediate danger to the life or personal safety of the member or other persons.

b. The animal is an immediate and substantial hazard to valuable property.

c. The animal is seriously injured and no other humane disposition is available.

Before destroying a dangerous animal, members will exhaust all other practical means of containing or capturing the animal. If time allows, members will obtain permission from a supervisor.

**Notification and Reporting (631.70)**

Members destroying an animal will notify a supervisor and will complete any necessary reports. Copies of all reports will be forwarded to the Training Division.

**Warrant Service (631.70)**

Members will assist MCAC in warrant services when the animal control officer has knowledge of a potential problem and requests Bureau assistance to serve the warrant. Members will also assist if the animal control officer encounters a problem and immediate assistance is required.
631.85 ALCOHOL IN PARKS
Index: Title; Parks, Alcohol In
Refer: City Code 20.12.040

PROCEDURE (631.85)
Precinct commanders identifying a park and/or stadium where the permitted use of alcoholic beverages habitually leads to or creates the potential for criminal and/or disruptive behavior should submit, through channels to the Chief of Police, a recommendation that more restrictive modifications to the city code be considered for that particular park and/or stadium. The recommendation must address preservation of the public peace and include, where applicable, documentation such as, but not limited to: neighborhood complaints, photographs showing the conditions, police reports or any other reports or analyses of the problem or a petition from neighborhood organizations or individuals.

Recommendations may include completely prohibiting alcoholic beverages in the park or placing increased restrictions on permits for the consumption of alcoholic beverages (i.e., number issued, size of party, specific dates, etc.).

Contact and discussion with the Office of the Director of the Parks Bureau will be part of the process in preparing the recommendations. Documentation of this discussion will be included in the written recommendation.

The Commissioner of the Bureau of Parks and Recreation will make the final decision. If the recommendation is accepted, the Parks Bureau will be responsible for posting the park and/or stadium with the required signs.

631.90 ARSON SCENE RESPONSIBILITIES
Index: Title
Refer: DIR 631.10 Dead Body Procedure

PROCEDURE (631.90)
Members arriving first at the scene of a major fire will initiate prompt radio notification to their supervisor and BOEC regarding the magnitude of the fire, and will forecast as nearly as possible the need for additional police assistance.

Members responding to a crime scene (e.g., burglary, theft, stolen or recovered vehicle) and discovering damage from fire will notify the Fire Bureau Investigator via radio.

The fire investigator will determine if arson has occurred, and, if so, will be responsible for the crime report. Should a fire investigator be unavailable and the member feels that a crime has occurred, the member will complete an Investigation Report and direct a copy to the Detective Division (Detectives) Arson Detail.

The Fire Bureau has agreed to immediately notify Detectives when a fire of suspicious origin has resulted in death or serious physical injury to a person.
a. Detectives will respond to the scene at once and contact the fire investigator.

b. Detectives at the scene will evaluate the need for additional detectives or support, and will contact command members for the purpose of fulfilling those needs.

c. Detectives will work with the original fire investigator. When the fire investigator’s continued assistance is needed beyond his/her tour of duty, the detectives will request through their commanding officer to the Fire Marshall’s Office that the fire investigator be placed on special assignment pending completion of the investigation.

d. Detectives will notify the Public Information Officer (PIO).

In all cases of arson, the Fire Bureau will have charge of the technical on-scene investigation with the Police Bureau being responsible for follow-up investigation. When arson causes death, the homicide detail will be responsible for the investigation. The scene of a possible arson where there is death or serious injury will be treated as a crime scene.

a. The news media and the public will be held back, with perimeter security handled by uniformed members, so that the scene and evidence may be protected.

b. If there is a death:
   1. The body will not be moved unless it is necessary to preserve it from being consumed by fire (refer to DIR 631.10).
   2. Detectives will ensure that the Medical Examiner has been contacted so that the body may be removed after the initial investigation.

Members at the scene or conducting traffic control will report any suspicious or unusual persons, vehicles, actions, etc. on a Special Report and direct it to Detectives Division.

News media requesting information should be referred to the PIO.

635.00 STRIKES/JOB ACTIONS
Index: Title; Labor Disputes
Refer: ORS 181.575 Specific Information Not To Be Collected or Maintained
       DIR 635.10 Crowd Control

POLICY (635.00)
The only function of members at a strike scene or job action is to preserve the peace and to protect life and property. Neutrality will be the guiding principal. No bias can be displayed by either the words or actions of members. Unless otherwise ruled by a court of competent jurisdiction, workers have the right to refuse to work under conditions felt to be unfair. Workers also have the right to peaceably picket the struck establishment. An employer has the right to defend his/her work policies
and salary standards. Police may be used at a strike scene or job action to enforce
the law and to maintain normal traffic flow on streets and sidewalks, and normal
entry and egress of the struck establishment. If information indicates the possibility
of violence, a police presence when the strike begins may prove to be an effective
deterrent to violence.

PROCEDURE (635.00)
The following procedures should be followed at all strike and job action situa-
tions:

a. Strikes, as a normal rule, can be anticipated for some period of time prior
to the actual strike. This time allows for the gathering of information to
accurately determine what can be expected. Plans for any police action
should be based on reasonably reliable information, not spurious claims by
labor or management. The following information can be useful to police
managers in determining an appropriate police response at a strike or job
action:
1. Name, business address and telephone number of employer and a
point of contact.
2. Name, address and telephone number of union, union local number
and affiliation and a point of contact.
3. Type of business.
4. Number and occupation of employees involved in the dispute.
5. Reason for the dispute.
6. Date strike is declared.
7. Number and occupation of employees who will continue to work.
8. Types of problems anticipated.
9. Type of strike (sympathy, wildcat, lockout, secondary, etc.).
10. Location and size of the plant, number of entrances and exits, loading
platforms, etc.
11. Other building or locations that might be affected by the strike.
12. Time of arrival and departure of employees who will continue to
work.
13. Transit facilities, schedules and routes.
14. Meal periods for employees and whether or not they eat on the prem-
ises.
15. Times when merchandise is to be received or shipped.
16. Special hazards or other conditions, which might affect police duty.
b. Park police vehicles in an area away from strikers and leave a guard with
them.
c. Prevent blockage of public streets and private driveways. Normal traffic
flow should be maintained and normal entry and exit from the establish-
ment should be allowed.
d. Prevent pickets and strikers from blocking the sidewalks.

e. Members and supervisors should not discuss the labor dispute with members of labor or management. Any conferences with police or instructions as to legal limits on behavior should include both sides of the dispute.

f. If a strike captain has not been appointed by the union picketers, one should be named and used as the labor contact with police. Management should also appoint a single contact person to work with the police.

g. The applicable laws and ordinances should be explained to leaders of both labor and management. Both sides should be informed how the police will impartially enforce the applicable statutes. The consequences of non-cooperation should be explained clearly.

h. During the course of the strike, the collection of information should continue.

i. Video taping and/or still photography of the event is useful to deter illegal activity and to document evidence of crimes (bearing in mind the restrictions of ORS 181.575). The City Auditor’s Office will determine the retention schedule of any video or photographs.

j. If disorder on a large scale ensues, commanders should use the crowd control procedures described in DIR 635.10.

635.10 CROWD MANAGEMENT/CROWD CONTROL

Index: Title;
Refer: ORS 131.675 Dispersal of Unlawful or Riotous Assemblies
DIR 635.00 Strikes/Job Actions
DIR 940.00 After Action Reports and Operation Orders
DIR 1010.20 Physical Force
DIR 1030.00 Baton Use
DIR 1040.00 Aerosol Restraints
DIR 1050.00 Less Lethal Weapons and Munitions
DIR 1051.00 Taser, Less Lethal Weapon System
DIR 1090.00 Special Weapons Use

POLICY (635.10)

The Portland Police Bureau recognizes that the City of Portland has a tradition of free speech events. It is the policy of the Portland Police Bureau to uphold constitutional rights of free speech and assembly. The Bureau will accomplish this by applying the appropriate level of coordination, direction, guidance, and when necessary, control to protect life and property and to maintain public peace and order.

Actions and speech protected by the First Amendment include such things as rallies, marches, parades and leafleting. Actions or behavior that involve trespassing,
destruction of property, disruption of transportation, unlawful use of amplification devices, assaults and disturbances of the peace are not protected by the First Amendment.

PROCEDURE (635.10)
Directive Specific Definitions

Aggressive physical resistance: Physical actions of attack or threat of attack coupled with the ability to carry out the attack which may cause physical injury.

Bureau event liaison: A Bureau member who has been designated as the primary contact for communication with the event’s primary liaison to police, as established by the event organizers.

Crowd control: Techniques used to address public assemblies where unlawful conduct has taken place or threatens to take place, or there is a need to change or control the assembly’s location or behavior to protect public health, safety or welfare. Techniques can include containment, dispersal, and arrests.

Crowd Control Incident Commander (CCIC): Command level personnel selected and trained to manage crowd events. The CCICs have the authorization and responsibility for all police actions at such events. Two CCICs will be designated by the virtue of their assignment: the Central Precinct commander and one Central Precinct lieutenant. Two additional CCICs will be selected and trained. The Central Precinct commander will be the primary CCIC for all events citywide based on workload and availability unless the Operations Branch chief delegates the responsibility to another CCIC.

Crowd management: Techniques used to facilitate, coordinate and manage lawful public assemblies before and during the event for the purpose of encouraging and maintaining their lawful and peaceful status.

Passive resistance: A situation where an individual merely goes limp and/or fails to comply with verbal commands with no other overt signs of resistance.

Peacekeeper: Persons designated by event permit holder to assist with maintaining an orderly event.

Persons-in-charge: A person designated by an event permit holder to act on behalf of, and with the authority of, the permit holder.

Physical resistance: Actions that prevent or attempt to prevent members’ attempts to control a subject, but do not involve attempts to harm the member.

Planned/permited event: An activity where a permit is obtained and/or the event is publicized.

Unplanned/spontaneous events: Unforeseen or unplanned events or incidents that draw a crowd. Such events may be lawful or they may create risk to public safety, peace and order or damage to property.

Planned or unplanned events may include parades, marches, labor disputes, rallies, celebratory crowds, etc.
Planned/Permitted Events (635.10)

When there is advance knowledge of a planned event, attempts will be made, at the earliest opportunity, to establish and maintain communication with representatives of the event (even if a permit has not been applied for or issued). If communication is established, organizers of the event will be asked to identify their primary liaison to police. The Bureau event liaison will attempt to set up advance meetings in preparation for the event. The Bureau event liaison will establish and maintain continuous contact with both the Crowd Control Incident Commander (CCIC) and the event representatives during the event.

During meetings with event representatives, Bureau representatives will discuss the purpose, size, scope and organization of the event. Bureau planners will attempt to determine the intent of the organizers. A threat assessment will be conducted focusing on key indicators. Bureau representatives will discuss general tactics and resources. Reasonable efforts at accommodation and cooperation will be made. Specific details of tactical planning will generally not be discussed. To the degree possible, agreements should be reached regarding timelines of the event, routes to be followed, planned stops, readily identifiable persons-in-charge and peacekeepers from the event organizers, etc.

The preferred police response is one of crowd management rather than crowd control. Based on a threat assessment, crowd control plans should be in place with the option of immediate application if the need arises. However, if crowd leaders have sufficient internal communication and control mechanisms, it will be the Bureau’s goal to work through the persons-in-charge and peacekeepers to solve problems and achieve public safety results.

Event planning and coordination will be conducted with affected city bureaus and divisions within the Police Bureau. Additionally, potential targets of a protest should be advised of the event to minimize surprise and confusion. Site surveys of the route/location of the event should be conducted as part of the planning process. Also, site surveys should be conducted immediately prior to the commencement of the event. The survey should include physically surveying the entire route if the event is a march.

Effective deployment during these events generally consists of pairs of members on foot and/or on bicycles to provide a uniform presence, to monitor crowd activity, and to assist traffic diversions or crowd interaction with spectators.

Unplanned/Spontaneous Events (635.10)

Many spontaneous events can be lawful and facilitated with minimal police assistance. An unplanned or unforeseen event or incident may create a risk to public safety, peace and order or damage to property. Members should remember that an unplanned/spontaneous event does not automatically mean that it is an unlawful assembly. The responding Incident Commander (the most senior member by rank or seniority), shall make every effort to ensure there is a measured police response.
A notification for the CCIC to respond to the incident will be made as soon as practical.

The police response will be commensurate with the overall threat, if any, to public safety, life and property, and maintaining order. These actions may include directing crowd and vehicular movement, enforcing ordinances and statues, and employing any physical force necessary. Decisive and appropriate actions during the initial stages of a disturbance may make the difference in effectively managing the event.

Incident Commander (635.10)
For All Crowd Events

The Incident Commander (IC) or supervisors should initiate and coordinate appropriate action to maintain the safety of the public, event participants and emergency personnel. An immediate and ongoing assessment of the event is imperative for effective police response. The IC should gather the following information:

a. Location and type of event.
b. Crowd size and behavior.
c. Number of participants engaging in conduct that is, or is likely to, become unlawful and spread to other crowd participants.
d. Prior behavior of identified participants and crowd leaders.
e. Threats to safety of public or members.
f. Damage to property.
g. Size of involved area.
h. Number of additional members needed and special assets such as RRT, MPU, Air One, PFB, EMS, etc.
i. Location of staging area.
j. Location of command post.
k. Ingress and egress routes.
l. Possible impact on vital infrastructure.

The IC should attempt to contact formal or informal leaders to establish intent and to negotiate/facilitate order of the event. (Police personnel should use caution when entering a hostile crowd solely for the purpose of communication). When possible, clear instructions should be communicated to the crowd. The IC and supervisors are responsible to ensure that all orders given to a crowd are consistent, lawful, and appropriate for the circumstances. The IC should take reasonable steps to ensure orders to the crowd have been heard and understood. Unless there is an immediate risk to public safety, or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with police commands before action is taken.

The IC will make the final decision as to what control action, if any, will be taken to address a crowd event. The police response will be commensurate with the degree of violence, disorder, criminal conduct and perceived threat to public
safety, life and property. Crowd size and available police resources will also factor into the response. Uncoordinated actions or actions by individual members shall be avoided.

The following factors should be considered:

a. Likelihood of police action improving the outcome.
b. Legal standing.
c. Weigh effectiveness of targeted arrests of specific violent or disruptive individuals vs. applying broad crowd control tactics.
d. Sufficiency of personnel resources to achieve the action (number and level of training).
e. Establishment of clear escape/dispersal routes for the crowd and police.
f. Ability to clearly communicate with crowd (loud speakers, personal contact with leaders).
g. Modify plans/tactics as conditions evolve.
h. Availability of less-lethal crowd control equipment/tools.
i. Disengagement timeline and strategies.

Members must maintain a professional demeanor, despite unlawful or anti-social behavior on the part of crowd members.

Crowd Control Tactics (635.10)

Note that the order of these tactics is fluid (to provide for escalation and de-escalation) and will change based on need.

a. Pre-emptive removal: Pre-emptive removal/confiscation of potential weapons under authority of city code.
b. Display of members/show of force: Uniform presence can be used to deter criminal activity. Members should be brought into crowd view in an organized manner (i.e., Mobile Field Force).
c. Selective arrests: Individuals in the crowd who are organizing or motivating unlawful conduct or resistance to lawful orders and have engaged in unlawful conduct. It can be an effective technique to arrest. This should be coordinated with the IC and be done at a supervisor’s direction. Sufficient members should be present to safely take the subjects into custody and to remove them from the area.
d. Multiple arrests: Multiple arrests will generally occur pursuant to a dispersal order. The IC should ensure sufficient resources are available for mass custody transport and processing.
e. Containment of crowd: When tactically feasible, perimeters can be established to contain or direct the crowd.
f. Dispersal: Crowds should not be dispersed unless there are reasonable and articulable factors justifying the order in accordance with law. Before giving the order to disperse, the IC must consider whether dispersal unduly endangers the public, police or participants in the crowd. If the
POLICY AND PROCEDURE

IC directs a crowd to be moved by the use of force, information regarding time to disperse, consequences of a failure to disperse, and a clear route for individuals, will, when feasible, be provided and announced in the same manner as the order to disperse. The crowd dispersal may be accomplished using any of the following techniques and tactics:

1. Mobile Field Force tactics: Skirmish line of members with batons at the ready. If physical resistance to the dispersal is encountered, members may use batons to push crowd in direction of the dispersal.

2. Dispersal arrests: The IC may direct arrests of individuals who engage in resistance to the dispersal (this tactic is resource intensive and should generally be used at the direction of the IC).

3. Use of pepper spray: Targeted application of aerosol agents may be used against specific individuals who are reasonably perceived to be attempting to cause physical harm to any person or threatening imminent physical injury to any person, engaged in looting or the destruction of property, or displaying intent to engage in physical resistance to a lawful police order. Broadcast spraying of pepper should be avoided unless there is a crowd surge that threatens to overcome police lines.

4. Impact munitions: When used as a dispersal technique, impact munitions will be deployed at the direction of the IC, unless there is exigency to prevent imminent injury to a person or destruction of property.

5. Riot control agents: Riot control agents may be used in circumstances where the crowds have been resistant to a dispersal order and have engaged in violent behavior such as throwing items at police, attacking uninvolved citizens or vehicles, or engaged in widespread property damage. Use of riot control agents will be at the direction of the IC. Only qualified personnel will deploy the riot control agents. It is the responsibility of the IC to notify Bureau personnel to don protective breathing equipment or to evacuate. The IC shall consider the physical environment, weather, number of persons involved, especially innocent bystanders, prior to deploying riot control agents.

Prohibited Techniques (635.10)

The following techniques are prohibited in crowd management/crowd control situations:

a. Use of fire hoses.

b. Canine Units.

Reporting Requirements (635.10)

If arrests are made, or force is used during a crowd event, the IC shall submit a special report which describes the context and conditions that led to the police
action. Members who use force will document the incident as outlined in DIR 1010.20. Supervisors who direct crowd dispersal or arrests will also complete a special report that describes the context and conditions. These reports will be completed prior to the end of shift. A delay of up to 24 hours may be authorized by the IC. This reporting requirement is separate from the After Action requirement. The CCIC or designee will ensure coordination with the District Attorney’s office where arrests were made.

#### 640.00 IDENTIFICATION PROCEDURES

**Index:** Title

**Refer:** ORS 153.110  Enforcement of Infractions; Issuance of Citations
ORS 162.385  Giving False Information to Police Officer for a Citation
ORS 419A.205  Fingerprinting and Photography of Juveniles
ORS 807.50  Failure to Carry or Present a License
ORS 807.620  Giving False Information to a Police Officer for a Traffic Citation
DIR 640.70  Fingerprinting and Photographing Juveniles
DIR 860.30  Citations-In-Lieu-Of-Custody
DIR 870.30  Processing of Persons into MCDC
DIR 870.50  Arrests, Felony Processing
DIR 880.30  Security Deposit, Setting Bail

**PROCEDURE (640.00)**

Only voluntarily complying adults, not under arrest, and all juveniles arrested (refer DIR 640.70), will be processed at the Forensic Evidence Division (Forensics). All other individuals requiring fingerprinting and/or photographing will be processed as described in the following procedures and under the provisions of DIR 870.30.

**ID Verification for Persons not Under Arrest (640.00)**

a. A voluntarily complying adult not under arrest but the subject of a police action may desire to verify his/her identity in order to avoid misidentification. In these situations, the individual may be escorted to Forensics where fingerprints and a photograph may be taken for the purpose of identity verification.

b. Photographs and fingerprints taken under these circumstances do not become part of the Bureau’s permanent record, nor do they suffice for the statutory requirement of mugging and fingerprinting.

c. If a jailable custody arrest or citation issuance results from this action, the subject will be processed per the applicable directive.
ID Verification: Z-Cite or C-Cite (640.00)

a. In situations where the identity of a person to be cited for a violation or any non-jailable offense is either unknown or in question, members will attempt to verify the identity using an IBIS fingerprint device, IWS mug system, DMV, PPDS and LEDS - CCH files.

b. If the IBIS system is down, or the member is unable to capture quality prints for use with IBIS, and other means of searching have not provided reasonable verification of identity members may contact Forensics to determine if unit workload demands and staffing will allow Forensics to provide an identity check.

c. If resources allow, members will:
   1. Transport offenders to Central Precinct and place them in a precinct holding cell.
   2. Obtain a left and right thumb and right four finger impressions on the backside of a copy of the Custody Report.
   3. Obtain PPDS, LEDS, CCH and NCIC identity information on the person the arrestee claims to be.
   4. Take the inked thumb and fingerprints (on the back of the custody report) as well as any PPDS, DMV and CCH printouts to Forensics.

d. Identity verification can be accomplished by Forensics only if the name provided by the offender has associated prints and mugshots on file. Forensics technicians will attempt to verify only whether or not the suspect in custody is the person they claim to be.

e. Forensics will not roll a full set of fingerprints nor make a full-file search to determine the arrested subject’s true name.

f. In exceptional circumstances, where the above noted means of identification verification have been exhausted and the situation merits further inquiry, members may contact (with supervisory approval) a Forensics supervisor and request an Automated Fingerprint Identification System (AFIS) latent direct inquiry be made. The inquiry is made using the two thumb impressions on the back of the Custody Report. The Forensics supervisor, upon receipt of any available computer file printouts, will attempt to arrange for the inquiry. If a criminalist or qualified technician is unavailable, the member will be directed to leave the photocopy of the Custody Report containing the two thumb and right four finger impressions with Forensics for an AFIS direct entry as soon as feasible. Continued custody of the subject is at the discretion of the member and his/her supervisor.

g. If it is determined during the identification verification process that a Giving False Information offense has been committed, the suspect will be processed through MCDC.
**Expeditied Fingerprint Search (640.00)**

Warrants based on false identity information during citation issuance cause inconveniences for many individuals. When Forensics discovers incorrect information has been presented during a C-Cite arrest (or when a member needs to verify the identity of a suspect when issuing a C-Cite and the above procedure fails to provide the necessary information) members will apply the following procedures:

a. In situations where a suspected serious offender’s true identity is not known and Forensics determines an FBI file search is necessary, a MCDC Intake supervisor will be notified. An expedited search hold will be placed on the suspect and remain in effect until such time as Forensics receives information from the FBI. Requests for fingerprint processing through the FBI Expeditied Fingerprint Search System will be honored only if justification satisfies the criteria established by the FBI. Furthermore, Forensic technicians are authorized to grant or deny such requests based on those criteria.

b. When circumstances justify granting expedited searches, the arresting member has the responsibility of arranging for a higher bail (extraordinary bail) to ensure the suspect remains in custody until the FBI responds to the inquiry. The arresting member will obtain authorization from a Circuit Court judge for increased security deposits. A list of judges is on file in Detectives and the Drug and Vice Division (DVD).

c. The words Extraordinary Bail will be written on the top of the Custody Report. For details in requesting Extraordinary Bail, see DIR 880.30.

**Corrected Identity – False Information Situations (640.00)**

The following procedures will apply when the identity of an arrestee, based upon FBI, SID, fingerprint, or CCH records, is determined to be different than the identity used upon arrest:

a. The Forensic technician will notify MCDC of the corrected identity.

b. MCDC will then run a LEDs/NCIC records check and serve any warrants.

c. When a name or date of birth was presented by the arrestee, and his/her true identity was subsequently determined based upon FBI, SID, fingerprint, or CCH records a Corrected Arrest Information – Furnishing False Information Special Report (FFI) will be completed by the Forensics technician. Copies of the report will be forwarded to the arresting member prior to the arraignment of the arrestee.

d. If the issuing/arresting member is present at MCDC, he or she will issue a new citation charging the original crimes(s) and FFI.

e. If the issuing/arresting member is not present at MCDC when the correct identity has been obtained, the following procedures will apply:

1. Felony and Misdemeanor Citations.
a) The Forensic technician will send a copy of his/her report to the Records Division (Records).
b) Records will then send a copy of the Forensic technicians report along with the arresting member’s report to the District Attorney’s (DA’s) Office.
c) Forensic technicians will fax a copy of the FFI report to the arresting member.
d) If a criminal case receives no complaint from the DA’s Office and it is later learned a FFI crime has been committed, the member may request a warrant be issued. This is accomplished through the submission of a Special Report to the complaint signer. The complaint signer may then ask the DA’s Office to consider issuing a warrant.

2. Violation Citations.
   a) Violations: The DA’s Office does not review traffic violation citations.
      1) A copy of the Corrected Arrest Information/Special Report will be forwarded by mail or fax to the member.
      2) Members may reissue violation citations when they deem it necessary. Members may also issue a FFI citation.
   b) Non-Traffic Violations: The DA’s Office reviews all non-traffic violations. The same procedures outlined above for felony and misdemeanor crimes should be followed.

640.01 DRIVER’S LICENSE AND ID PHOTOGRAPHS
Index: Title; Driver’s License, Photographs

POLICY (640.01)
The Bureau recognizes the importance of having current photographic identification on individuals involved in police actions. Although the Forensic Evidence Division (Forensics) maintains or has access to photo files and provides necessary services, there may be an investigative need for copies of Oregon driver’s license or identification (I.D.) card photographs.

PROCEDURE (640.01)
a. When a photograph (mug shot) or image of a subject is not available through Forensics or the current division photograph does not reflect the current appearance of the subject, requests for an Oregon driver’s license or I.D. card photograph will be made using WebLEDS.
b. To make requests, members will:
   1. Use the LEDS DPL mask.
POLICY AND PROCEDURE

2. Enter the Oregon driver’s license or I.D. card number of the subject in the required field.
3. DMV will electronically send the photo in their response.

640.02 PHOTOGRAPHY AND DIGITAL IMAGING

Index: Title
Refer: DIR 640.10 Crime Scene Procedures
       DIR 640.15 Measure 11 Archive Protocol
       DIR 660.10 Evidence and Property Procedure

POLICY (640.02)
The Portland Police Bureau recognizes that there is occasionally a need to photographically document crime scenes and injuries to victims to facilitate the investigative process. These images are evidence in these cases and should be treated as such. This policy does not cover non-evidentiary photographs or non-evidentiary digital images.

PROCEDURE (640.02)
Directive Specific Definitions
35 mm photography: A silver halide based process of recording images.
Burn: The process by which digital files are recorded or written to a Compact Digital Disk (CD) or Digital Video Disk (DVD).
CD-R and DVD-R: Recording medium for digital images.
Digital imaging: The recording of an image via digital code, which is viewable using a corresponding computer software application.

Photographing Crime Scenes (640.02)
A Forensic Evidence Division (Forensics) Criminalist will have the sole responsibility of photographing evidence at major crime scenes such as homicides, member involved shootings, fatal traffic collisions, questionable or suspicious deaths and autopsies. These photographs will be captured on 35mm film.

If a Criminalist is unavailable, a member may use a Bureau issued 35mm camera to document the crime scene. Film should be obtained from Forensics and should be returned there for processing along with a copy of the police report. The only exception is when time constraints make it necessary to use outside resources. In these situations members need to be cognizant of the fact that using an outside resource to reproduce photographs/images might compromise the investigation.

In all cases where 35mm photography is used as evidence, the negatives will be retained by Forensics. It is the responsibility of the unit taking the photographs to deliver the negatives to Forensics with the case number.

In any other case where photographs/images may benefit the investigation,
members may use a digital camera to document the scene or evidence. Members will not use personal cameras and/or media. All images recorded on a media will be in an uncompressed format, if possible, and recorded at the maximum resolution of the camera. Images will not be altered in any way.

All images, regardless of quality, value or appropriateness to the investigation, will be transferred unaltered directly to a CD-R or DVD-R on a designated computer capable of burning files to a CD-R or DVD-R at the investigator’s precinct or division. The CD-R or DVD-R will be checked to verify that all the image files were successfully written. The CD-R or DVD-R will be labeled with the case number and other appropriate connect information, placed in a jewel case, marked as evidence and handled in compliance with Directive 660.10. A second CD-R or DVD-R will be burned with the unaltered files and become a working copy.

Once the digital images have been successfully copied to a CD-R, the recording media will be reformatting to remove all images.

Members will not use the delete image(s) function of the camera in place of reformatting.

Members will not use the downloading software to delete images from the original media. These functions will not completely remove the images.

Members will not attach or embed any copies of images to original police reports.

Members may attach images to copied reports that are being forwarded to another unit or agency for follow-up or to the DA’s office for prosecutorial consideration.

Members will not record more than one crime scene, victim or event on a memory card to ensure that images are not misidentified, overwritten or assigned to the wrong case.

Minimum Requirements for Digital Cameras, CD-Rs, and Download Software (640.02)

Forensics is responsible for providing the following minimum specifications and requirements for digital imaging:

a. Digital camera requirements:
   1. Minimum 3 mega pixels.

b. The following are the only CD-Rs and DVD-Rs that will be used for evidence storage:
   1. MAM-A 700MB recordable CD-R Gold Archive.
   2. MAM-A 4.7GB recordable DVD-R Gold Archive.

c. Marking the CD-R or DVD-R as evidence:
   1. The evidentiary CD-R or DVD-R will be marked with the appropriate case number and complainant last name using a CD safe marker in the center unwritten portion of the CD-R or DVD-R.
POLICY AND PROCEDURE

Forensic Evidence Division (Forensics) Responsibilities (640.02)

It is the responsibility of Forensics to print or reproduce all images and photographs of crime scenes, victim’s injuries, and other investigative photographs/images. All evidentiary photographic negatives processed by the Forensics photo lab will be archived in Forensics. Evidentiary photographic negatives taken by another unit and developed outside the Forensics photo lab will be delivered to Forensics with the case number and any other appropriate information. Evidentiary digital images will be archived in the Property Evidence Division in accordance with property evidence procedures. All archived images and negatives will be retained in accordance with the Bureau archive protocols, city and state requirements, and federal guidelines.

640.05 GANG AFFILIATION DESIGNATION

Index: Title
Refer: Gang Affiliation Designation Report Form (GET)
Resource/Contact List (GET)

POLICY (640.05)

The Bureau recognizes that criminal gangs, by their very nature, pose a grave threat to the safety of police and citizens who encounter them. The Bureau must gather and organize information about participants in criminal gang activity in order to effectively address the law enforcement problem which criminal gangs present.

The Bureau also recognizes that it is not a crime to be affiliated with a gang. Therefore, it is the policy of the Bureau that the designation of a person as a criminal gang affiliate does not give any member the authority to take action against that affiliate which could not be lawfully taken against a person not designated as a gang affiliate.

In order to avoid mistakenly designating persons as criminal gang affiliates, it is the policy of the Bureau that the listing as a gang affiliate will follow the criteria listed under Procedure.

PROCEDURE (640.05)

Directive Specific Definitions

Gang: An ongoing organization, association or group of three or more individuals who use both of the following:

a. Use a gang name, common identifying sign or symbol, or acknowledge an identifiable leadership.

b. Have a high rate of interaction among themselves to the exclusion of other persons or gangs.

A gang is criminal if individuals affiliated with it have committed two or more
crimes, which involve any of the following:
   a. Benefit members of the group.
   b. Are committed as part of an initiation process or membership ritual.
   c. Are designed to announce the existence of the gang, its membership or its territorial claims.
   d. Are committed in response to the race, color, religion, sexual preference, national origin or gang association of the victim.
   e. Are designed to intimidate a victim in the name of the gang.

Gang affiliate: A person who participates in either the criminal or non-criminal behavior of a criminal gang listed above, or who actively pursues membership in a criminal gang by performing criminal acts intended to gain the approval of the gang.

A person will be designated as an affiliate of a criminal gang only when there is clear and convincing evidence that the person has been a criminal gang affiliate in the previous three years and, while a criminal gang affiliate, either one of the indicators on List A (listed below) was present, or two of the indicators of List B (listed below) were present.

   a. List A:
      1. The person admits or asserts affiliation with a criminal gang to the police.
      2. The person participates in a criminal gang initiation ritual or ceremony.
      3. The person conspires to commit, or commits a crime:
         a) Which is part of a pattern of street crimes facilitated by the efforts of other gang affiliates, which advance the interests of the person.
         b) To attract the attention of the criminal gang or enhance the standing of the person with the criminal gang.
         c) For the benefit of the gang.
         d) To announce the existence of the gang, its membership or its territorial claims.
         e) In response to the race, color, religion, sexual preference, national origin or gang association of the victim.
   b. List B:
      1. The person displays knowledge of the gang’s history, leadership, activities or rituals in a context that clearly indicates affiliation with the gang.
      2. The person announces to the police that the person is willing to commit assaults, crimes, or make other sacrifices for the gang.
      3. The person wears clothes or jewelry unique to a gang in a contest that clearly indicates affiliation with a gang.
      4. The person uses a hand sign or language which, due to content or
context, clearly indicates affiliation with the gang.
5. The person’s name appears on a criminal street gang document.
6. The person is in a photograph with other people who collectively display criminal gang signs or apparel to exhibit solidarity.
7. The person possesses a gang tattoo.

Responsibilities (640.05)
Member Creating Designation
Any member who believes it is appropriate to designate a person as a criminal gang affiliate must describe, in an official police report designed for that purpose, the specific conduct that corresponds to the gang affiliation indicators listed above. Any designation must contain a reference date which corresponds to the last incident of occurrence relied on for designation. This reference date will determine the purge date of the designation; therefore, all reports of conduct must document the date of the conduct. Refer to Gang Designation Report Form. The report must be routed to GET.

Gang Enforcement Team (640.05)
Designation Requests
A GET supervisor or designee will review all requests for criminal gang affiliation designation, and will recommend whether or not the request should result in designation. The GET supervisor or designee may not recommend designation unless both of the following are met:

a. There is clear and convincing evidence the person presents at least one of the indicators from List A, or two indicators from List B.

b. There is clear and convincing evidence the person is a criminal gang affiliate.

If the documentation, which accompanies a request, does not support designation, then the GET supervisor will send a form indicating the deficiency to the requestor’s RU manager.

If the GET supervisor recommends a person be designated as a gang affiliate, GET will send a notice of the recommendation to the last known address of the person. The Bureau will make a reasonable effort to determine the person’s last known address, which may include a search of PPDS, Oregon DMV files and Oregon Parole and Probation records.

The notice will include a list of the indicator(s) relied on to recommend designation, and will state that the supporting police report may be reviewed in person, without charge, at the GET office. The notice will prominently announce that the recommendation will result in a designation of the person as a gang affiliate in 30 calendar days from the mailing of the notice, unless the person (or parent or legal guardian if the person is a minor or under a guardianship) requests a hearing in writing before that time at the GET office. The notice will describe the hearing and
appeal process set out below.

GET will place letters, which are returned as undeliverable in the designation file, and designation will occur in accordance with this directive.

If the potential designee has been personally given notice of an impending designation, the member giving the notice will document this on the designation report.

A list of pending designations will be maintained at the GET offices. Upon request, any person will be told whether he/she is on the list of pending designations, and parents or guardians will be told if their children or wards are on the list.

If a potential designee does not properly request a hearing, GET will send the recommendation for designation to the Records Division (Records) for review and entry of the designation.

All potential designees who properly request a hearing will be provided with one before any action is taken of designation. Parents and legal guardians may request hearings for minors and wards.

The hearings process consists of two hearing stages and a Manager’s Review stage. The first hearing stage consists of a hearing before a GET supervisor. At the conclusion of this hearing, the potential designee will be advised to GET’s recommendation on designation.

First Stage Hearing (640.05)

The first stage hearing will occur within 21 calendar days of receipt of a request for a hearing by GET unless the potential designee agrees to a hearing at a later date or the potential designee is incarcerated. Hearings will be provided to potential designees incarcerated in Oregon within 30 calendar days of receipt of a request for a hearing. Hearings for those individuals incarcerated may be conducted by correspondence or over the phone, at the discretion of GET.

At the hearing, a potential designee may present any information that bears on the applicability of the designation criteria, and will be asked for a correspondence address.

Second Stage Hearing (640.05)

If GET continues to recommend designation following the first stage hearing, the potential designee may request a second stage hearing before a panel comprised of representatives from diverse cultural groups, youth service agencies and neighborhood programs. A request for a second stage hearing must be made in writing and directed to GET within 10 business days following the first stage hearing. A second stage hearing will be conducted within 21 calendar days from receipt of the written request.

Manager’s Review and Final Appeals Process (640.05)

Following the second stage hearing, recommendations concerning designation,
from both hearings, will be submitted to the Tactical Operations Division (TOD) manager or designated command members for review within five business days of the completed second stage hearing.

The TOD manager will determine whether gang affiliation designation is supported by clear and convincing evidence and meets the stated criteria. The potential designee will be informed of the decision by letter mailed to the address provided at the first stage hearing by the potential designee. If the manager’s decision is to designate, the decision will become effective after 10 business days unless the potential designee appeals the decision to a City Code Hearings Officer (CCHO). A notice of appeal to the CCHO must be submitted in writing within 10 business days of the date on the designation notice and must comply with requirements set by the Code Hearings Office. The designation notice will list the steps a potential designee must take to initiate an appeal hearing before the CCHO.

On receipt of a proper notice of appeal, the City Code Hearings Office will schedule an appeal hearing and notify GET and the potential designee of a hearing date. Following the hearing on the appeal, the City Code Hearings Office will notify both GET and the potential designee of its decision.

If the hearings office upholds the recommendation to designate, or if the potential designee fails to challenge the proposed designation by requesting a hearing or appeal within the applicable time guidelines, GET will forward the Gang Designation Report to Records for review and entry.

Records Division (640.05)

Records will review all requests for criminal gang affiliation designation received from GET to ensure the Bureau’s criteria are met. If the documentation presented to Records supports designation, the record of the subject will be updated to reflect the gang affiliation.

Any designation must contain a reference date which corresponds to the last incident of occurrence relied on for designation. This reference date will determine the purge date of the designation.

If the documented conduct does not support designation, the record of the person will not be updated and a form indicating the deficiency in the documentation will be sent to GET and the requestor’s RU manager.

Appeals of Existing Designations (640.05)

Any person on the gang affiliates list will be provided a hearing to challenge the designation if:

a. The person has not previously brought a challenge to the designation.
b. The person submits clear and convincing evidence to GET that the person was not receiving mail from the address to which the designation notice was sent and did not have actual notice of the impending designation.

All challenges to existing designations will be routed to GET for processing.
Upon receipt of a valid challenge to an existing designation, GET will provide a designated person with a hearing within 45 calendar days. The hearing and subsequent appeal procedure will be the same as that for potential designees. At the conclusion of the appeals process, in the event there is a change in the designation status, GET will forward a Special Report to Records to update the person’s PPDS record.

Purge Process (640.05)

The designation will expire four years after the incident on which it is based. If during this four-year period the person engages in conduct or behavior that meets the designation criteria, the person may be re-designated by means of the initial gang designation process outlined in this directive.

The designation of gang affiliate is entered as a flag on a person’s PPDS record. The flag will remain on the record until it is purged by Records four years from the date of the last incident of occurrence relied on for designation.

A designated person will not accumulate time toward the purge parameter if the person is deceased, incarcerated, or on parole or probation for a felony or a weapons violation.

Each month the Information Technology Division (ITD) will publish and distribute a list of designated individuals subject to purging in six months time. Members having information that will support a re-designation must forward a Gang Affiliation Designation Report form containing supporting documentation to GET which will initiate a redesignation process.

Improper Designations (640.05)

In the event an individual is improperly designated as a gang affiliate, any member may submit a Special Report to GET requesting to rescind the designation. GET will review the information submitted and forward the Special Report, along with a request to have the designation removed, to Records. Records will be responsible for removing the designation, thereby updating the person’s PPDS record.

640.10 CRIME SCENE PROCEDURES

Index: Title; Homicide Investigation
Refer: ORS 146.095 Responsibility for Investigation
       DIR 612.10 Death Messages
       DIR 631.10 Dead Body Procedure
       DIR 640.02 Photography and Digital Imaging
       DIR 640.80 Mandatory Bias/Prejudice Crime Reporting
       Crime Scene Sign-in Sheet (Detectives)
PROCEDURE (640.10)

Directive Specific Definitions

Major crime: A crime that will require continued investigation.

Member Responsibilities (640.10)

The first member arriving at the scene of a crime will be in charge until the member receiving the call arrives, until relieved by his/her supervisor, or until the Detective Division sergeant arrives and officially announces he/she is taking charge. At all times, a specific member will be in charge. It will be his/her duty to:

a. Notify the Bureau of Emergency Communications (BOEC) of the type of incident and request additional members, if needed.

b. Arrest the suspect, if present.

c. Protect human life and property, and render aid.

d. Protect the crime scene by ensuring items within the scene are not disturbed. A supervisor may assign a specific scene security officer.

e. Identify and isolate witness(es) with particular attention to information that witnesses may overhear from police members or the police radio. Obtain names and addresses of witnesses and an initial statement.

f. Exclude all unauthorized persons (all persons who do not have an official duty to perform pertinent to the incident should be kept out of the protected crime scene).

g. A specific member shall be assigned to list all personnel who enter the crime scene on a Crime Scene Sign-in Sheet.

h. Relay information to Records Division (Records) Teletype and BOEC regarding the crime and suspects.

i. If the crime scene needs immediate continuing investigation by Detectives, BOEC will be notified.
   1. BOEC will notify Detectives of the request and situation.
   2. If Detectives are not available or the member’s supervisor does not feel they are needed, the member assigned the call will complete the investigation.

All members entering a major crime scene will submit a report documenting the reason for being in the crime scene and all actions taken while there. Uniform members not assigned at the crime scene should patrol possible escape routes and not proceed to the actual crime scene.

Notification of Detectives (640.10)

A Detectives supervisor and/or detective from the appropriate detail will be notified in the following cases:

a. Homicide Detail:
   1. Homicides.
   2. Questionable deaths.
4. Serious assaults, with a possibility of death.
5. Abduction/kidnap.
6. Shootings or serious assaults involving police members, whether the member is the victim or not.
7. Custody cases involving Aggravated Murder, Murder, Manslaughter, Assault I or II, or Kidnap I or II.
8. Hate crimes.

b. Robbery Detail (All robbery reports should be faxed to the Robbery Detail prior to going off duty).
   1. Commercial robbery involving injuries or firearms discharge.
   2. All Robbery I and II custodies.
   3. Any Robbery I or II with suspect information and the need for immediate follow-up.

c. Sex Crimes Unit.
   1. Rapes.
   2. Sodomies.

d. Child Abuse Team (CAT).
   1. Sex offenses involving children under the age of 12, excluding expose cases.

e. Other Crimes.
   1. Crimes eliciting unusual public interest or having unusual political implications.
   2. Unusual circumstances which might indicate that immediate detective follow-up is needed.
   3. If a patrol supervisor feels an investigation needs detective assistance, a Detective supervisor should be contacted to determine if a detective is available.

Detectives Responsibilities (640.10)

Detectives assigned to the crime scene will:
   a. Assume command of the investigation upon their arrival. They will be responsible only to their own supervisors and will contact an on-duty sergeant or relief commander, if it is necessary for uniform members to stay at the scene and assist.
   b. Ascertain from uniformed members how far the investigation has progressed in order to avoid duplication of effort.
   c. Obtain a detailed description of suspects and property for broadcast by BOEC.
   d. Interview witness(es) or ensure uniform officers have obtained a thorough statement. All witnesses will be kept separated until after the interview.
   e. Interview suspects.
f. Request additional aid through their supervisor, if needed.
g. When uniform members and detectives conduct a joint investigation of a major crime, it is the duty of the detective to make the formal report on the investigation. A copy of the original report and all additional reports (excluding homicide and member involved shootings) will be forwarded to the uniform division/precinct involved. In exceptional cases, copies of homicide and member involved shootings may be sent to the commander of the precinct.

Crime Scene Photography and Authorized Equipment (640.10)

a. Only 35mm or digital cameras are authorized for use by uniform mem-
bers.
b. A Criminalist will be called to photograph major crimes and fatal accident scenes.
c. Upon prior written approval of the precinct commander, members may use their personal cameras (35 mm only), if a Criminalist is unavailable. Film will be obtained from the Forensic Evidence Division (Forensics) and returned there for processing along with a copy of the police report. Negatives will be retained by Forensics.
d. Members are prohibited from using personal cameras to take pictures for their personal use at crime or accident scenes.

640.12 UNIFORM MEMBER FOLLOW-UP

Index: Title
Refer: DIR 640.10 Crime Scene Procedures
DIR 910.00 Field Reporting Handbook Instructions

PROCEDURE (640.12)

Uniform members are responsible for the complete preliminary investigation of all crimes except those excluded by DIR 640.10. Members are encouraged to initiate follow-up investigations and clear cases when possible. Appropriate reports covering these investigations are required.

Members conducting follow-up investigations will be responsible for notifying and coordinating with detectives. Members desiring to retain control of all follow up will so indicate in their original report. For those cases where follow-up duties are shared, members will coordinate directly with detectives.

Members will obtain permission from a supervisor to initiate or continue a follow-up investigation when: they will be out of service for a prolonged period of time and/or they must leave their assigned district.
640.13 DRUG LAB PROCEDURES

Index: Title; Hazardous Materials
Refer: DIR 220.40 Lawsuits and Claims
       DIR 631.70 Investigation of Animal Problems
       DIR 640.10 Crime Scene Procedures
       DIR 660.10 Property and Evidence Procedure
       DIR 741.00 Chemical and Biological Agents/Weapons
       DIR 761.00 Hazardous Material Incidents
       DIR 850.30 Juveniles: Temporary Custody
       DIR 870.50 Arrest, Felony Processing

PROCEDURE (640.13)

Directive Specific Definitions

Cold Zone: The area immediately outside of the Warm Zone area and is the staging area for media and extra support personnel. Access to this area is limited. This area is not considered contaminated with hazardous chemicals or materials.

Contamination: Any article(s), clothing or person(s) having been in a clandestine drug lab and/or physical contact has been made with a harmful substance/agent. The contact may be made by inhalation or absorption through skin/tissue/mucous membranes.

Decontamination: A process to remove hazardous chemicals or materials from a person or object by washing or other approved means (discarding of contaminated clothing).

Drug labs: Any sites, whether stationary or mobile, containing chemicals normally found in clandestine labs or containing evidence of the manufacture of controlled substances.

Environmental contractor: A private commercial company contracted by the Oregon Department of Air Quality (DEQ) or Drug Enforcement Administration (DEA) for cleanup.

Hazardous material: Any substance that is dangerous to health by inhalation, absorption, or ingestion, including explosive or flammable materials.

Hot Zone: Any area, building, or vehicle considered contaminated by hazardous material. This area is restricted to personnel specifically trained and wearing protective gear as is determined by OSHA.

Site safety officer: The person responsible for safety and proper operations at a HazMat scene. The safety officer will be a Drugs and Vice Division (DVD) supervisor or HazMat supervisor.

Warm Zone: The area directly outside of the Hot Zone. This area is the primary work area for DVD and HazMat personnel supporting HazMat inside the Hot Zone. This area is restricted to the DVD lab team, HazMat, Forensic Evidence Division (Forensics), and authorized personnel.

Working lab: A location where it is in an active state (cooking) of manufacturing a controlled substance. The chemicals may be in any stage of heating, pumping, straining, stirring or adaptation to manufacture controlled substances.
Member Responsibilities (640.13)
Members who suspect a drug lab, in any stage of operation or during the course of any investigation, will contact DVD prior to entering the location.
Members inadvertently finding themselves within a suspected drug lab will limit their exposure to only as long as it takes to remove minors, citizens or suspects from the Hot Zone. Members will then initiate a DVD call out.

Responding Member Responsibilities (640.13)

a. The first member on scene who determines that hazardous materials site and/or drug lab is present shall immediately:
1. Request cover.
2. Apply rubber gloves. Nitrile gloves should be worn, latex gloves do not provide a chemical barrier. Nitrile gloves are carried on the HazMat truck.
3. Move all persons to an area of safety outside the Hot Zone (Warm or Cold Zone depending upon contamination).
4. Notify a supervisor.

b. Individuals contaminated with suspected hazardous materials will not be placed in city vehicles. Whenever possible, any suspect taken into custody will be flexcuffed to avoid contamination of handcuffs and will be placed in a Warm Zone. The scene will be secured and access denied to all but authorized persons.

c. If a member is exposed they should remain on scene for evaluation and/or decontamination. If the member leaves the scene prior to DVD arrival, the member shall provide name and contact information to DVD personnel as soon as possible.

d. If symptoms of exposure are present, advise HazMat and/or DVD personnel. Acute exposure or severe symptoms require immediate medical attention.

e. Maintain uniform presence in Cold Zone until clean-up contractor has departed.

Supervisory Sergeant Responsibilities (640.13)
When notified of a lab site, supervisors will initiate a DVD lab call out through the Bureau of Emergency Communication (BOEC) or by calling DVD directly. A DVD Lab Response Team will be dispatched to the scene and a DVD supervisor will take command of the incident when on scene. In the event an explosive device is either located or suspected, the supervisor will request Explosives Disposal Unit (EDU) response.

DVD Lab Response Team Responsibilities (640.13)
a. DVD will serve all search warrants where the warrant indicates the place
to be searched is suspected to contain an operating drug lab or hazardous materials.

b. DVD lab team members will contact DEQ and apprise them of the site location, approximate size of the lab and an estimate of how much time will be required of an environmental clean up team to clean up the site. If the lab is not operating, members of the DVD lab team will take samples of evidence and process it as described in DIR 660.10. Contaminated items of evidence will be considered hazardous and will be photographed at the scene by DVD. Contaminated items of evidence will not be placed in any police vehicle or property room unless decontaminated by DVD. Only those items of evidentiary value needed for case prosecution will be decontaminated and placed in property evidence. All such items will be labeled DECONTAMINATED. DVD will remove contaminated items and suspected lab-ware from inside the lab and place it in a collection area for the clean up contractor.

c. Once the investigation is complete and prior to leaving the scene, a DVD supervisor will contact BOEC requesting a Premise Information Notification (PIN) be placed on the address until decontamination occurs. DVD and HazMat will ensure that the Oregon Department of Human Services is notified of the drug lab location and the site is posted as unfit for habitation.

d. These procedures also apply to members investigating sites outside the city limits. DVD will determine and coordinate the appropriate response.

**Forensic Evidence Division (Forensics) Responsibilities (640.13)**

Forensics may be requested to respond for latent print examination. Only Forensics personnel with proper HazMat training may enter or work in the Hot Zone.

**Portland Fire Bureau Hazardous Materials Team Responsibilities (640.13)**

a. Respond to all drug lab sites with DVD when requested.

b. Share the roles of the on scene site safety officer, monitoring, and control of the lab site with DVD.

c. Conduct routine and emergency decontamination.

d. Delineate Hot and Warm zones with marking tape.

e. Maintain on scene fire equipment where the risk of fire or explosion is present.

**Oregon State Police Crime Lab (OSP) Responsibilities (640.13)**

OSP Crime Lab chemist will be requested to scenes of working labs and may be called to the scene of elaborate or large scale labs.
POLICY AND PROCEDURE

Evidence (640.13)

a. Only samples of chemicals and evidence collected by DVD or the Crime Lab will be transported to the Crime Lab or Property Evidence Division (PED).
b. After business hours, evidence will be handled as outlined in DIR 660.10.
c. Transport of any chemical sample or other items from a drug lab site must be authorized by DVD.
d. DVD personnel will be responsible for proper packing of chemical samples for transportation to the OSP crime lab or PED.
e. If a drug lab is discovered in a vehicle, and after consultation with DVD, the vehicle will be towed to the (PED) storage lot at Rivergate Vehicle Storage Facility following removal of the lab. DVD will assist the tow driver in hooking up the vehicle and will post the vehicle as having been contaminated by chemicals or hazardous materials.

Personal Protective Equipment (PPE) (640.13)

No person shall enter a known Hot Zone without PPE and proper training. This requirement does not apply to emergency situations.

Decontamination (640.13)

a. Members and Innocent Bystanders.
   1. Members coming into contact with a substance suspected as being hazardous or having a concern about contamination will report the exposure to a supervisor as soon as possible.
   2. HazMat and DVD personnel will determine the extent decontamination is needed.
   3. No person will exit a Hot Zone without appropriate decontamination. An emergency is the only exception.
   4. In cases of gross contamination, such as a chemical spill, the victim’s clothing will be removed as soon as possible. Emergency shower facilities and disposable clothing will be provided by the Portland Fire Bureau (PFB). Members should bathe as soon as possible. All arrested persons will be decontaminated prior to placement in a police vehicle and/or transported.
   5. In the event personal items or clothing are destroyed due to contamination, members will contact the City’s Bureau of Risk Management to obtain a claim form (see DIR 220.40).
   6. When a member’s equipment or Bureau issued equipment (i.e., uniform, web gear, flashlight, handcuffs and/or weapon) becomes contaminated and he/she does not have replacement items, an immediate supervisor will determine a temporary assignment until the necessary
equipment can be replaced.

b. Personnel Exposure Documentation and Reporting.
   1. All members who have entered a Hot Zone unprotected or have symptoms of contamination shall:
      a) Notify their supervisor as soon as possible.
      b) Document the exposure in their RU injury log.
      c) Complete a Personnel Exposure Report, and forward to a DVD Supervisor.

c. Adult Suspects.
   1. Any suspect considered contaminated will have all clothing removed, including shoes, while being afforded as much privacy as possible. The suspect will be furnished a disposable suit. This task will be monitored by the DVD team wearing protective gear.
   2. All items of clothing and personal effects will be treated as contaminated. All personal items will be placed in a plastic bag and a determination will be made as to whether they can be decontaminated.
   3. An MCDC commander will be notified from the scene of the number and gender of prisoners.
   4. Prisoners will be transported with as much of their body covered (including hair and hands) as possible.

d. Juvenile Suspects and Children Taken into Protective Custody.
   1. Any child taken into custody will be decontaminated at the scene in the same manner as adults.
   2. JDH will be notified prior to the transport of arrestees.
   3. The Department of Human Services (DHS) will be contacted for support when decontamination and/or shelter care is required in protective custody situations (see DIR 850.30).

e. Injured Persons.
   1. Unless injuries require immediate transport to a medical facility, all injured parties (regardless of status) will be decontaminated at the scene in conjunction with DVD/HazMat procedures.

Contaminated Animals (640.13)

Animals located within a hazardous materials site or drug lab will be secured, when possible, within the Hot Zone or a Warm Zone, depending upon the circumstances. Contaminated animals will not be transported to the Justice Center. Animal Control should be contacted to take the animals into protective custody at the scene per DIR 631.70.

Site Clean-Up (640.13)

Once evidence has been collected and the investigation of the site is complete, a private environmental company contracted by DEQ or DEA will be contacted.
The contractor will have the responsibility for transporting excess materials not required as evidence samples to a storage site.

640.15 MEASURE 11 ARCHIVE PROTOCOLS
Index: Title
Refer: DIR 660.10 Property and Evidence Procedure
DIR 1060.00 Weapons Disposition and Disposal

POLICY (640.15)
The Portland Police Bureau is directed by Judicial Decree to ensure evidence and police reports in Measure 11 cases are retained for the 60 year archive schedule.

PROCEDURE (640.15)
Directive Specific Definitions
Archiving: The storing and preservation of historical documents and articles.
Evidence: An article(s) taken into police custody that may furnish proof that an offense has been committed and/or certain person(s) committed an offense.

Multnomah County District Attorney’s Office Responsibilities (640.15)
a. Identify all Measure 11 cases through judgements.
b. Forward judgments to the Police Bureau’s Records Division (Records).

Records Division (Records) Responsibilities (640.15)
a. Update the case information received from the DA’s office to the access database.
b. Send an e-mail on the information that has been updated to designated desktops in the Detective Division (Detectives), Tactical Operations Division (TOD), Property Evidence Division (PED), Forensic Evidence Division (Forensics), Family Services Division (FSD), and City Archives.
c. Archive police reports from Measure 11 cases.
1. Measure 11 cases will be filed and archived as usual until such time when that particular year’s reports are due for destruction. At that time, Records and archives staff will cause the reports to be removed and retained in a separate Measure 11 archive files rather than destroyed.
2. Records will accept investigative case envelopes for archiving on Measure 11 cases from Investigations Branch divisions (i.e., Detectives, FSD, and TOD). Those case envelopes will either be included in existing case files in Records or forwarded to archives for storage as needed.
Investigative Branch Responsibilities (640.15)

a. Each division that deals with records, property, or has an investigative function will be responsible for creating a Standard Operating Procedure (SOP), establishing the procedure for archiving records and case envelopes of Measure 11 cases and establishing procedures for tracking evidence related to these cases. The SOP should address how existing Measure 11 cases will be archived, how future Measure 11 cases will be archived, and how evidence traces sent from the PED for Measure 11 cases are processed.

b. Division managers will:
   1. Identify a position within their division that is responsible for reviewing property evidence traces received from PED on Measure 11 cases.
   2. Ensure that the division’s SOP is current and adhered to.
   3. Ensure that the division’s case files for Measure 11 Crimes are purged for duplicated reports prior to sending to Records.

Forensic Evidence Division (Forensics) Responsibilities (640.15)

a. Maintain the photographic evidence for Measure 11 Crimes and will ensure the retention of the photographic evidence meets the new archive schedule.

b. Develop protocols to ensure the quality of photographic evidence.

Property Evidence Division (PED) Responsibilities (640.15)

a. Identify Measure 11 cases using the list provided by Records.

b. Establish protocols for sending out traces for evidence related to Measure 11 crimes.

c. Complete a consistent and accurate review, as needed, of Measure 11 cases to ensure the disposition of the evidence is correctly categorized and is retained.

640.18 CASE MANAGEMENT SYSTEM

POLICY (640.18)

The Case Management System (CMS) is used to manage and track cases and information reported, reviewed and assigned to members conducting follow up on cases. The CMS system is also used to assign disposition codes to cases that no longer need follow up investigation. Detectives, officers with investigative duties, and PASS personnel, as designated by a supervisor, are required to use the CMS on all cases reviewed and assigned to be investigated.

When members are involved in investigations that require follow up or a change
in a disposition code, the member will ensure that the CMS is initiated and updated as needed. Members will contact the responsible person in their RU tasked with managing the CMS to make the necessary changes.

**PROCEDURE (640.18)**

**Directive Specific Definitions (640.18)**

Case Management System: Sub system of the Portland Police Data System (PPDS).

PPDS: A Portland police data tracking system.

**Code Definitions (640.18)**

a. Exceptionally Cleared (EX): Clear status is cases where:
   1. Offender is deceased.
   2. Denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense.
   3. Victim refuses to cooperate; victim does not wish to prosecute. Members must meet the following four conditions in order to clear an offense under this sub-section. Members must have:
      a) Identified the offender.
      b) Gathered enough evidence to support an arrest, make a charge, and turn over the offender to the court for prosecution.
      c) Identified the offender’s exact location so that the suspect could be taken into custody immediately.
      d) Victim’s refusal to cooperate with the prosecution after the offender has been identified.
   4. Suspect has active warrant and dies.
   5. Juvenile offense for minor offenses is handled verbally or by written notice to parents.
   6. Statute of limitations is up on the case.
   7. The recovery of property does not clear an offense.

b. Fugitive (FG) – Pending Status: Suspect is identified and has an active warrant out for their arrest, and is not in custody.

c. Investigative Arrest (IA) – Clear Status: As a result of an investigation, suspect is arrested, charged with an offense and the investigation is forwarded to court for prosecution.

d. Pending (PE) – Pending Status: Case is open and the investigation is pending.

e. Received (RC) – Pending Status: Case has been reviewed but not assigned for investigation.

f. Refer to District Attorney (DA) – Pending Status: Investigation has been forwarded to District Attorney’s office for review. Case status will remain in pending status until changed by investigating agency.
g. Refer to Inter-department Division. (RD) – Pending: Investigation responsibility of case is transferred from one division to another.

h. Refer to Outside Agency (RF) Cleared Status: Investigation is transferred to jurisdictional agency.

i. Suspended (SP) – Suspended Status: Case is suspended due to unavailability of victim or investigation is unable to develop any tangible leads.

j. Unfounded (UN) – Cleared Status: Allegations are determined to be false or baseless (i.e., crime did not occur).

Member Responsibilities (640.18)

Members will use the CMS to track case progress in order to maintain uniformity and supervisory control regarding the assignment and closure of cases assigned for follow-up investigation. When applicable, cases that do not require any case follow up will be assigned disposition codes.

a. Upon receiving or initiating a case which meets the criteria, notify supervisor to enter case information into the CMS.

b. Ensure the CMS is updated as the investigation progresses.

c. Ensure cases are assigned disposition code at conclusion or suspension of investigation.

d. Review monthly Information Technology Division (ITD) CMS status reports and ensure case status is appropriate.

Supervisor Responsibilities (640.18)

a. Ensure that the CMS is being used properly. Supervisor will suspend, clear or pend case during the review process whenever possible. See Code Definition section.

b. Review incoming reports and enter into the CMS when applicable.

c. Review member’s monthly status reports.

d. Meet with each member at least every 60 days to discuss case progress.

e. With the exception of Homicide investigations, fatal traffic collision investigations, and missing persons, cases that are 60 days or older shall be reviewed and suspended if appropriate. Supervisor will determine the best appropriate action with input from the investigator.

f. In order to provide an accurate monthly report, supervisors will provide ITD with a current roster of the detail members’ names, DPSSTs and assigned detail or precinct.

RU Manager Responsibilities (640.18)

a. Review members’ monthly CMS status reports to ensure compliance with directive.

b. Coordinate the CMS and recommend improvements as necessary.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (640.18)
The Detective Division is responsible for maintenance and changes regarding this directive. Changes or issues regarding this procedure should be directed to the Detective RU manager.

640.20 SEXUAL ASSAULT INVESTIGATIONS
Index: Title; Molest; Sexual Assaults; Rape; Investigations; Sodomy Investigations
Refer: ORS 418.747 Multi-Disciplinary Approach to Child Abuse
       DIR 640.10 Crime Scene Procedures
       DIR 640.30 Child Abuse Investigations
       DIR 660.10 Property and Evidence Procedure
       Medical Report Sexual Assault form (OHSU and Emanuel Hospital)
       Forensic Laboratory Information form (OHSU and Emanuel Hospital)

POLICY (640.20)
Bureau members will be sensitive to the victim, concerned family, and friends while conducting thorough sexual assault investigations.

PROCEDURES (640.20)
Directive Specific Definitions
Family member: A father, stepfather, mother, stepmother, brother, sister, cousin, uncle, aunt, grandparent/step-grandparent, parent’s/guardian’s current or former live-in boyfriend or girlfriend, separated or divorced parent, foster parent and a legal guardian.
Forensic Laboratory Information form: Assists the Oregon State Crime Lab in the evaluation of evidence obtained during the sexual assault investigation.
Medical Report Sexual Assault form: Used by the officer or detective to authorize the sexual assault examination, done by qualified medical personnel, at an appropriate medical facility. The form documents the results of the sexual assault examination conducted by a physician or sexual assault nurse examiner.
Non-family member: Any person not listed as a family member, including neighbors, friends, teachers, other temporary child custodians and strangers.
Rape Victim Advocates (RVA): Volunteers who respond to police requests through the Bureau of Emergency Communication (BOEC), and stay with a victim through the hospital care to deal with possible emotional trauma of the victim.

Responding Member Responsibilities (640.20)
Responding member(s) will inform his/her supervisor when detective contact is needed. The supervisor will make contact with Detective Division (Detectives), who will determine the appropriate response.
a. Detective contact will be as follows:
   1. Victims age 14 years and older involving non-family perpetrators: Sex Crimes Unit (SCU) detectives.
   2. Victims under 14 years old and all victims under 18 years old involving family perpetrators: Child Abuse Team (CAT) detectives.
   3. A SCU/CAT detective will be contacted when a suspect is in custody for:
      a) Rape I.
      b) Sodomy I.
      c) Sex Abuse I.
      d) Unlawful Sexual Penetration I and II.
   4. Incident circumstances include:
      a) Victim is able to articulate a crime has been committed and,
      b) Crime is no more than 84 hours old, and,
      c) Victim is willing to cooperate with an investigation (i.e. submit to a rape exam), or,
      d) The nature or complexity of the crime requires a detective response.
      A detective sergeant or shift sergeant may determine if a detective response is applicable if crime does not fall within parameters.

Officer/Detective Investigative Responsibilities (640.20)

a. If the rape and/or sodomy occurred within the past 84 hours, advise the victim not to bathe, douche, or change clothes prior to hospital examination, since evidence present on the victim’s body and/or clothing may be destroyed.

b. Advise the victim to bring a complete change of clothing to the hospital due to possible seizure of the clothes currently being worn.

c. Gather physical evidence, see Evidence Disposition section.

d. Request through BOEC for a RVA to respond to the hospital and conduct a thorough victim interview in his/her presence (if available).

e. If emergency medical treatment is required, the victim should be transported by ambulance to the nearest hospital or the hospital of their choice. If the particular hospital does not have Sexual Assault Evidence Kits, an officer or detective must obtain one from either Oregon Health Science University (OHSU) or Emanuel Hospital.

f. If emergency medical treatment is not required, but a sexual assault examination is needed, transport the victim to an appropriate hospital. If a detective is responding, notify the detective prior to leaving the scene to determine what investigative processing should occur.

1. Victims under the age of 15 years will be examined at Emanuel Hospital; victims 15 years and older will be examined at OHSU.
2. If needed, the responding member will provide transportation for the victim following the examination.

g. If a detective does not respond; the officer is responsible to:
   1. Transport the victim to the appropriate medical facility.
   2. Sign, list agency, DPSST, and date the Medical Report Sexual Assault form to authorize a sexual assault examination as appropriate.
   3. Conduct a thorough interview of the victim in the presence of an RVA (if one is available).
   4. Call Forensic Evidence Division for photos of the victim and the scene.
   5. Complete an Investigation Report and fax it to Detectives prior to the end of the shift.

h. If a detective does respond, follow directions given by the detective and leave a completed Special Report with the detective prior to leaving the hospital.

**Detective Responsibilities (640.20)**

- a. Conduct a thorough investigation and gather evidence as appropriate. Provide direction on investigative responsibilities and procedures to the responding officer.
- b. Conduct thorough follow-up on assigned cases and assist the District Attorney’s (DA’s) office with prosecution.
- c. Complete a Forensic Laboratory Form and transfer the Sexual Assault Evidence Kit and any other items of evidence to the Oregon State Police Crime Lab, if necessary.

**Evidence Disposition (640.20)**

- a. Members involved in investigating sexual assaults will complete a Property/Evidence receipt.
   1. List the Sexual Assault Evidence Kit and the victim’s undergarments (underwear/panties) on one Property/Evidence Receipt. Any other clothing or evidence must be listed on a separate receipt and may be placed in any satellite property room.
   2. At OHSU, issue a property receipt listing University Hospital in the Location Where Seized section. Record the name of the nurse placing the Sexual Assault Evidence Kit and victim undergarments in the OHSU satellite evidence locker in the Property Taken From section of property receipt. The pink copy is placed in the OHSU satellite evidence locker. The yellow copy is retained by the hospital or the nurse placing the evidence into the locker. Property Evidence Division (PED) personnel will pick up completed sexual assault kits and undergarments only from OHSU once a week.
3. At Emanuel and Portland Adventist hospitals, issue a Property Receipt listing the corresponding hospital in the Location Where Seized section. Since these hospitals have no on-site evidence lockers, members will need to collect the kit and undergarments, if any, and place them in any satellite property room lockers.

b. Clothing and other evidence wet with blood or other body fluids are biohazards. Refer to DIR 660.10 Property and Evidence Procedure, for proper delivery of such evidence items. Universal precautions are recommended, including:
1. Wet body fluids and dry blood: Rubber gloves, mask, and eye protection.
2. Dry body fluids and dry blood: Rubber gloves. If available, mask and eye protection.

Anonymous Sexual Assault Report Guidelines (640.20)

House Bill 2154, signed into law on June 1, 2007, eliminates the requirement for law enforcement authorization prior to collection of an Oregon State Police (OSP) SAFE Kit. HB 2154 establishes a fund for victims of sexual assaults to obtain complete or partial medical assessment. Victims can obtain a medical assessment without law enforcement involvement. The identities of victims can be kept confidential to medical facilities per the victims’ request.

a. 9-1-1 will inform victims of their options of reporting and nonreporting and provide information to the crisis line for assistance, including transportation needs.

b. Medical facilities will contact advocacy services and will provide the victim their Jane Doe SAFE kit number for reporting purposes, should they choose to report within six months.

c. Members will assign a case number and retrieve evidence. Jane Doe reports are anonymous and confidential. Complete separate Property Evidence Receipts for rape kits and clothing evidence and document their evidence on the report.

d. Property Evidence employees collect kits from OHSU only. Members will collect kits from any other facility and place them in any satellite property room locker.

For questions, members are encouraged to contact a SCU on-call detective. CAT should be contacted if the victim is under 14 years of age.
POLICY (640.30)

The Bureau will provide confidential, sensitive service to the victim, concerned family and friends, while conducting thorough child abuse investigations. The Bureau will participate in a team approach with other service providers to protect the child, provide comprehensive and sensitive interviews, minimize the risk of contamination of evidence, and ensure the investigation is effectively and efficiently carried out on behalf of the child and family members involved.

In all instances, the protection of children shall be the highest priority.

PROCEDURE (640.30)

Directive Specific Definitions

CARES-NW: The Child Abuse Response and Evaluation Services Program at Emanuel Hospital.

Child: An unmarried person under 18 years of age (an emancipated juvenile will not be considered a child).

Child abuse is:

a. Any physical injury to a child by other than accidental means, including any injury that appears to be at variance with the explanation given as cause for the injury.

b. Any mental injury to a child that will include only observable and substantial impairment of the child’s mental or psychological ability to function, caused by cruelty to the child, with due regard to the culture of the child.

c. Sexual abuse, including but not limited to rape, sodomy, sexual abuse, incest, and unlawful sexual penetration.

d. Sexual exploitation of a child including visual recording of sexual conduct.
of children.
e. Negligent treatment or maltreatment of a child including, but not limited
to, failure to provide adequate food, clothing, shelter or medical care.
f. Threatened harm to a child; subjecting a child to a substantial risk of harm
to the child’s health or welfare.

Family member: A father, stepfather, mother, stepmother, brother, sister, cousin,
uncle, aunt, grandparent/step-grandparent, parent’s/guardian’s current or former
live-in boyfriend or girlfriend, separated or divorced parent, foster parent and a
legal guardian.

Hotline: Refers to the Child Abuse Hotline of the Department of Human Ser-
vice (DHS), and is a 24-hour service where citizens or mandated reporters report
suspected child abuse.

Multi-Disciplinary Team (MDT) trained members: Received the DPSST eight-
hour supplemental Multi-Disciplinary Team MDT training course or have attended
the Basic Academy class on MDT child abuse investigations since July 1991.

Non-family member: Any person not listed as a family member, including
neighbors, friends, teachers, other temporary child custodians and strangers.

Recent sexual assault: Includes a case of rape, sodomy, sexual penetration, etc.,
which has occurred within 84 hours previous to the initial report, where there is a
likelihood medical evidence, (i.e., semen, DNA, trauma or other physical evidence)
may be detected.

Serious physical injury is:
   a. A physical injury that creates a substantial risk of death or that causes
      serious and protracted disfigurement, impairment of health or protracted
      loss of the functions of any bodily organ.
   b. Injuries such as serious head trauma, broken bones, serious burns, etc.
   c. Injuries, after initial medical treatment, that requires a child to be admitted
to a hospital.

Shelter home: A confidential location for a child to stay as determined and ar-
ranged by DHS, the location of which is only known by DHS, Juvenile Court or
the transporting member.

Suspicious physical injury: Includes, but is not limited to, burns or scalds, exten-
sive bruising or abrasions on any part of the body; bruising, swelling or abrasions
on the head, neck or face; fractures of any bone in a child under the age of three;
multiple fractures in a child of any age; dislocations, soft tissue swelling or mod-
erate to severe cuts; loss of the ability to walk or move normally according to the
child’s development ability; unconsciousness or difficulty maintaining conscious-
ness; multiple injuries of different types; injuries causing serious or protracted
disfigurement or loss or impairment of the function of any organ; and any other
injury that threatens the physical well-being of a child.
Responding Member Responsibilities (640.30)

a. In all cases of reported physical or sexual child abuse, a police report will be written. Under no circumstances, even if the allegations appear unfounded, will members give the Bureau of Emergency Communication (BOEC) a coded radio disposition in lieu of writing a report. Even unfounded calls require a Special Report (see member reports section) to conform to state child abuse reporting laws.

b. When possible, an MDT member will handle calls of child abuse. In the event a member has not received MDT training and receives a child abuse call, the member will request an MDT trained member to respond and handle the call. In the event one is not available, the dispatched member will handle the call.

1. In cases of recent sexual assault (within 84 hours) or serious physical injury where the child is hospitalized, the Child Abuse Team (CAT) or the Detective Division (Detectives) will be contacted to respond and coordinate the investigation. CAT may respond after hours and on weekends upon approval of a CAT supervisor.

2. The responding member is responsible to coordinate the medical treatment, physical examination, and sexual assault kit unless they are relieved of this responsibility by another member or detective. The member’s report will document the person who assumed this responsibility, and the time they did so.

c. Protective custody.

1. A child will be taken into protective custody by a member when:
   a) The child is in imminent danger if not taken into protective custody.
   b) There is a threat that abuse will occur if the child is not removed from the home (i.e., the child has been the victim of sexual molestation by a family member and that family member is still in the home, likely to return to the home or the other members of the family are not supportive of the victim).
   c) There are no other alternative resources (such as a relative) to care for the child.

2. If a DHS worker is present, the member may give the worker custody of the child. In other circumstances, the member will transport the child to a confidential destination as directed by DHS or the Juvenile Intake Unit.

3. In all cases where a child is taken from a current custodian and given to another person, including a DHS worker, a Custody Report will be written by the member.

4. The responding member is responsible for the criminal investigation even when a DHS worker is present.
d. A child may be taken into protective custody when:
   1. A child under ten years of age is left without supervision.
   2. The child’s conditions or surroundings reasonably appear to jeopardize the child’s welfare.

e. Criminal Mistreatment (ORS 163.205) is the proper charge, rather than misdemeanor assault charges in physical child abuse cases. This includes domestic violence situations. When a member makes a custody arrest for Criminal Mistreatment I, the following procedure must be followed:
   1. Contact a CAT supervisor.
   2. If no detective is available, or the CAT supervisor advises the member to handle the case:
      a) Advise suspect of his/her Miranda rights (using Detective’s standard form).
      b) Interview suspect after waiver of rights.
      c) Document suspect’s statements in report.
      d) Place two copies of all reports and the suspect’s PPDS/LEDS printout into a case envelope.
      e) If Polaroid photos are taken, place one set in the envelope for district attorney’s review.
      f) Indicate the word Custody on the upper left margin of the case envelope.
      g) Before leaving Detectives, place the envelope in the CAT mailbox for delivery to the CAT deputy district attorney (DDA).

f. Unless the call originated from the DHS Hotline, members must notify the Hotline of all suspected child abuse cases and indicate the time of notification at the beginning of the police report.
   1. If a child is taken into protective custody, the member will make reasonable efforts to notify the parents immediately, regardless of the time of day. Notification may be in person, by telephone, or in writing. Notification will include the following:
      a) The fact that the child has been taken into custody.
      b) The reasons why the child was taken into custody.
      c) General information about the child’s placement (i.e., hospital, shelter home, JDH, etc.).
      d) That a Juvenile Court hearing will occur the next court day.
      e) The telephone number of the DHS Hotline.
   2. The only exception to this notification will be at the direction of a CAT supervisor or where immediate notification of a parent may compromise the investigation or endanger other children. Under no circumstances will the member tell anyone (including a parent) the location of a foster/shelter care home, nor will it be listed in the member’s report.
3. If a child’s location is changed by a member’s intervention, (i.e., shelter care, medical hold or placed with a relative or friend), the following must be done:
   a) A Custody Report must be written.
   b) The DHS Hotline must be notified.
   c) Copies of reports delivered to Juvenile Court intake as soon as possible, either in person or faxed, but in any event, prior to the end of shift.

4. If an adult caretaker is arrested for child abuse, the arresting member will call the DHS Hotline. This must occur even if the child is not taken into protective custody.

g. In cases of physical abuse, if the child is in need of emergency medical treatment or evaluation, they should be transported by ambulance to the nearest hospital or hospital of family choice. If the child is in need of non-emergency medical treatment, the member may transport the child to a medical facility.

1. Members facilitating or taking a child to a hospital for treatment of a serious physical injury will immediately notify a CAT supervisor or Detective supervisor, if after normal business hours.

2. When a member has reasonable cause to believe a child is a victim of sexual abuse and physical evidence is likely to be destroyed, the member will follow procedures for investigating sex crimes and seek a physical examination for the collection and preservation of evidence, (i.e., sexual assault kit).
   a) A child 12 years of age or older may refuse an examination. If the child’s parent or guardian refuses to allow medical evaluation, the member will take the child into protective custody, telephone Juvenile Court for authorization for treatment or contact Detectives for assistance, and complete a Custody Report.
   b) A child 14 years of age or younger will be transported to Emanuel Hospital. On weekdays a CAT supervisor can be contacted to arrange an emergency examination at CARES-NW.
   c) A child 15 years or older will be transported to the Oregon Health Sciences University Hospital (OHSU).
   d) Upon notification by the member, BOEC will arrange for a Rape Victim Advocate (RVA) to respond to the appropriate hospital.

h. Efforts will be made to minimize the number of times child abuse victims are interviewed. Generally, children under ten years of age should not be interviewed by members not specifically trained in child interview techniques.

1. Physical abuse: Interview the child, if verbal, using non-leading questions.
2. Sexual abuse: Children who are ten years of age or younger will not be interviewed, but will be referred to CARES-NW, the assigned DHS personnel or CAT detective. Children over ten may be interviewed, but only to the extent necessary to establish a criminal allegation. For report purposes, members should thoroughly interview the person (s) to whom the child disclosed the abuse.

3. Exceptions:
   a) If the crime occurred within 84 hours, a short interview of the child is necessary to establish if the child will need a medical examination.
   b) If the child (or other children) is at risk by a perpetrator still within the home, the child may be interviewed briefly to establish the need for protective custody.

i. Members, detectives, criminalists and DHS workers must coordinate efforts to secure photographic evidence of abuse.
   1. Pursuant to Oregon law (2007 HB 3328: Karly’s Law), any person conducting a child abuse investigation who observes a child who has suffered suspicious physical injury must immediately photograph the injuries. Anogenital injuries may only be photographed by a medical provider, but even these injuries must be photographed immediately.
   2. Digital photographs and/or 35mm, may be obtained by:
      a) The responding member.
      b) Detectives or the investigator.
      c) Taking the child to Forensic Evidence Division (Forensics).
      d) Requesting criminalists from the participating agency or Forensics to respond to the scene.
   3. If criminal prosecution is likely, 35mm or digital photos are preferred. A scale reference should be used in the photograph to assist in judging the size and scope of the injuries.
   4. If a child is taken into protective custody, photos of the injuries may be taken for use at the preliminary hearing at Juvenile Court. Such photos will be delivered to Juvenile Court Intake as soon as possible. The photos will be handled according to DIR 660.10 Property and Evidence Procedures, subsection Transferring Evidence.
   5. Child neglect includes the omission of parental or caretaker responsibilities. Parents or caretakers are required to provide the necessities of life and protection from harm. Photographic documentation of unhealthy environments or unsafe conditions is important for criminal prosecution and juvenile court purposes. Specific investigative techniques include photographing:
      a) Empty cupboards, messy sinks, insects, refrigerators, clogged sinks and toilets, feces, beds, drugs and drug paraphernalia, weap-
ons, broken windows and other unsafe conditions.

b) The child and parent in the environment. If the parent has needle marks, photograph them.

c) Age dates on food containers or other items to show how long the condition has existed.

j. If the initial response and investigation is conducted on public school premises, the school administrator will first be notified (unless the administrator is the subject of the investigation). By State law, it is at the member’s discretion whether a designated school staff member is at the interview. Their presence is not mandatory.

k. Under no circumstances, even if the allegations appear unfounded, will members give BOEC a coded radio disposition in lieu of writing one of the following reports:

1. An Investigation Report will be written if it appears a crime has been committed.
   a) All injuries, no matter how minor will be described and documented in the report.
   b) Description of the injuries will include listing the location on the child’s body; describing each injury by size, shape and color; and identifying the object that caused the injury if known.

2. A Special Report will be written for all other instances, including unfounded calls.

3. A Custody Report will be written when arresting or citing a suspect or whenever a child’s location is changed by a member’s intervention, (i.e., shelter care, medical hold or placed with a relative, friend or DHS).

4. Courtesy reports (Special Report) for outside agencies must be written for any of the following circumstances:
   a) When the location of occurrence is outside Portland Police jurisdiction.
   b) An outside agency advises they will not respond.
   c) An outside agency requests a courtesy report.

5. Do not list the location of any shelter home in any report. This is confidential information and may only be obtained from DHS.

l. Members who observe a child who has suffered suspicious physical injury must ensure that a designated medical professional conducts a medical assessment within 48 hours. This requirement may be satisfied by one of the following:

1. Contacting CARES NW to arrange for a medical assessment.

2. Advising the responding detective of the child’s suspicious physical injury and need for a medical assessment within 48 hours.

3. In the absence of a responding detective, advising the DHS Hotline
of the child’s suspicious physical injury and the need for a medical assessment within 48 hours.

m. Allegations of sexual exploitation involving visual recordings of sexual conduct of children have the potential to expand the investigation to a complex multi-jurisdictional investigation. Members responding to such allegations will:

1. Determine the media (printed, electronic, film, video tape, etc.) on which the visual recordings of sexual conduct of children exist.
2. Prohibit any person from further viewing or distributing the visual recordings of sexual conduct of children.
3. Lawfully secure items of potential evidentiary value by seizing them as evidence under a warrant consent or other exceptions to the warrant requirement. Extreme care should be taken when seizing computers and other electronic devices/media on which the recordings are stored to ensure the evidence is preserved.
4. Interview and obtain clear and detailed statements from witnesses who observed the recordings regarding the sexual conduct depicted in the visual recordings.
5. Notify the CAT supervisor and advise them of the circumstances in order to determine whether or not a detective will respond to coordinate the investigation.

Supervisor Responsibilities (640.30)

Review and/or monitor child abuse investigations for completeness, including:

a. Verify notification of DHS (required for protective custody or suspected child abuse initially discovered by members).
b. Facilitate photographs digital for arraignment and 35mm for later prosecution.
c. Verify written reports for all child abuse calls, unfounded or not.
d. If a child was taken into custody, including protective custody, ensure Juvenile Court has copies of reports as soon as possible.
e. If a suspect is arrested, ensure reports and photos are delivered to the CAT mailbox in Detectives as soon as possible.
f. Ensure notification of a CAT supervisor if child is sexually assaulted (within 84 hours) or seriously injured (requiring hospitalization).

Detectives Responsibilities (640.30)

a. Detectives will provide advice in response to members’ questions and inquiries.
b. CAT will maintain a 24-hour on-call supervisor who will provide immediate assistance and advice on child victim cases.
c. Detectives will respond to the appropriate hospital when:
POLICY AND PROCEDURE

1. A child has been sexually assaulted within the last 84 hours and there is likelihood of obtaining evidence (sexual assault kit) by medical examination.
2. A child is hospitalized due to serious physical injury.

d. CAT will receive and review copies of all child abuse reports. A CAT supervisor may staff such reports with the DA and/or DHS representatives of the team. A decision will then be made to either assign a case for investigative follow-up or to refer it to DHS.

Forensic Evidence Division Responsibilities (640.30)

a. If the child is taken into protective custody, photos of injuries will be taken for use at the preliminary hearing.
b. If this is a Measure 11 crime with visible injury, Forensics will respond to take photographs.
c. If criminal prosecution is likely, digital or 35mm photos of the injuries will be taken.
d. Criminalists will confer with the investigating member to determine what types of photos are needed, location on the victim’s body to be photographed and the best location for photography.

Records Division Responsibilities (640.30)

Records will provide copies of all child abuse reports, founded and unfounded, to Department of Human Services (DHS), per ORS 419A.255 Maintenance; Disclosure; Providing Transcript; Exceptions to Confidentiality.

BOEC Responsibilities (640.30)

a. Should the DHS Hotline receive the incoming call first, DHS will determine if a police response is necessary and contact BOEC to dispatch a uniform member to take the report.
b. Incidents of child sexual abuse can be coordinated between the DHS Hotline and the Telephone Report Unit (TRU) whereby TRU may take the report only under the following conditions:
   1. The child is currently safe and away from the perpetrator and the incident is being reported 84 hours after occurrence.
   2. The caller is reluctant to make a direct report to a uniform member.
   3. The caller is out of the area and their local law enforcement agency will not take a courtesy report regarding an incident that occurred within Portland.
POLICY AND PROCEDURE

640.31 CUSTODIAL INTERFERENCE

Index: Title; Custodial Interference
Refer: ORS 163.215 Kidnapping and Related Offenses Definitions
ORS 163.245 Custodial Interference II
ORS 163.257 Custodial Interference I
DIR 640.30 Investigations, Child Abuse
DIR 825.00 Domestic Violence, Arrests and Restraining Orders
DIR 850.30 Custody, Juvenile Holds
DIR 850.39 Missing, Runaway, Lost or Disoriented Persons/Amber Alert

PROCEDURE (640.31)

Directive Specific Definitions

Custodial Interference: If knowing or having reason to know that a person has no legal right to do so, a person entices or keeps another person from the other person’s lawful custodian, or in violation of a valid joint custody order, with intent to hold the other person permanently or for a protracted period.

Member Responsibilities (640.31)

Members taking reports that appear to constitute Custodial Interference will ensure that the distribution section of the Investigative Report is marked for forwarding to the Detective Division/Missing Persons Unit (MPERS). Questions regarding criminal Custodial Interference should be referred to MPERS detectives during business hours.

Members encountering Custodial Interference cases, which appear to involve child abuse or sexual abuse, will also contact the Child Abuse Team (CAT; refer to DIR 640.30 and DIR 850.39).

Members taking reports which appear to constitute Custodial Interference will complete an Investigation Report, including detailed biographical and contact information for all involved parties, including the Reporting Party, alleged suspect(s) and the alleged missing child.

Members should clearly articulate the Reporting Party’s reason(s) for why the incident might rise to the level of criminal Custodial Interference, rather than possibly being a civil custody matter to be remedied in the appropriate Family Law Court.

Members’ Investigation Reports (640.31)

If a member takes a report involving Custodial Interference, and any involved child is believed to be in imminent danger in being with the suspect(s), the member should immediately contact a supervisor, advising of the situation. The supervisor will then contact a MPERS detective or the on-call Homicide Supervisor. The on-call Homicide Supervisor, or a designee, will evaluate whether the incident possibly
meets the additional criteria for an Amber Alert. Refer to the Amber Alert (850.39) section.

Any person requesting recommendations as to employing a private attorney related to a custody dispute should be referred to the Oregon State Bar Lawyers Referral Service or the Multnomah County Family Law Court. Members will not recommend attorneys or provide legal advice.

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640.32 ABANDONED BABY PROCEDURES

Index: Title
Refer: ORS 163.535 Abandonment of a Child
ORS 418.017 Safe Place for Newborns
DIR 640.30 Child Abuse Investigations
Safe Place for Newborns packet (FSD)

PROCEDURE (640.32)

Under ORS 418.017 Safe Place for Newborns, a person may leave an infant, 30 days of age or younger, with no evidence of abuse, with an agent, employee, doctor, or other medical professional at an authorized facility without facing criminal penalties. An authorized facility is any of the following:

a. Hospital.
b. Physician’s office.
c. Birthing clinic.
d. County health department.
e. Sheriff’s office.
f. Police station.
g. Fire department.

The person leaving the newborn is not required to provide any identifying information about either the newborn or parent, and may leave the authorized facility at any time.

Bureau members may have to receive an infant at any time, with no prior notice. The protection and safety of the child shall be the highest priority in such situations.

Member Responsibilities (640.32)

a. Nonsworn members:
   1. Request a sworn member respond to the location.
   2. Retrieve a Safe Place for Newborns packet (located at each precinct).
   3. Do not try to identify the person surrendering the infant.
   4. Perform all reasonable acts to ensure the health and safety of the child, including obtaining medical attention if necessary.
5. If the person(s) chooses to leave prior to the arrival of a sworn member:
   a) Give the person(s) the Letter for Parents and DHS County Child Welfare Offices phone list, both found in the Safe Place for Newborns packet.
   b) Ask the person(s) to fill out the voluntary health questionnaire about the infant. This may be done at the authorized facility or the person may take it with them and return it in the self-addressed stamped envelope included in the packet.

b. Sworn members:
   1. Retrieve a Safe Place for Newborns packet (located at each precinct).
   2. Do not try to identify the person surrendering the infant.
   3. Perform all reasonable acts to ensure the health and safety of the child, including but not limited to:
      a) Check the infant for any visible signs of abuse. If visible signs of abuse are present, follow the procedures outlined in DIR 640.30 Child Abuse Investigations, including detaining the person.
      b) Obtain medical attention if necessary.
      c) If the child appears to be more than 30 days old, notify the Department of Human Service (DHS) Hotline. The phone number is available in the Problem Solving Resource Guide. This situation falls under ORS 163.535 Abandonment of a Child.
      d) If the child appears to be 30 days old or less:
         1) Give the person the “Letter for Parents” and DHS County Child Welfare Offices phone list, both found in the Safe Place for Newborns packet.
         2) Ask the person to fill out the voluntary health questionnaire about the infant. This may be done at the authorized facility or the person may take it with them and return it in the self-addressed stamped envelope included in the packet.

4. Follow-up responsibilities.
   a) Notify a supervisor and PIO office of the abandoned baby incident.
   b) Notify the DHS (Child Abuse) Hotline that a newborn has been left at the location.
   c) Complete the Drop-off Report Form included in the Safe Place for Newborns packet.
   d) Release the newborn to DHS when it is appropriate considering the child’s medical condition.
   e) Provide DHS with any pertinent information or materials regarding the child.
f) Complete a Custody Report for protective custody of the child. Other PPB reports should be completed as appropriate for the specifics of the incident.

640.35  ABUSE OF ELDERLY/PERSONS WITH DISABILITIES

Index: Title; Investigations – Abuse of Elderly/Persons with Disabilities; Elderly Persons, Abuse of; Disabled Persons, Abuse of; Nursing Homes, Investigations of

Refer: ORS 124.050 – 124.095  Mandatory Reporting for Persons 65 and over
ORS 163.205  Criminal Mistreatment I
ORS 410.020(3)(d)  General Adult Protective Services
ORS 410.610 – 410.700  Elder Abuse
ORS 441.630 – 441.680  Mandatory Reporting for Residents, Nursing Facilities
ORS 441.690 and 441.695  Residential Care Facilities and Assisted Living Facilities
ORS 441.705 – 443.911  Residents, Adult Foster Care Homes
MCC 8.90.025, 160-260  Residents, Adult Foster Care Homes
DIR 825.00  Domestic Violence, Arrests and Restraining Orders
DIR 850.20  Mental Health Crises, Response To
DIR 850.39  Missing, Runaway, Lost or Disoriented Persons

POLICY (640.35)

The Bureau will investigate all allegations of abuse to elderly persons (any person 65 years or older) and persons with disabilities (persons who are at risk of abuse, neglect or exploitation due to their mental or physical disability). Each investigation will be completed with a written report of the findings. The Bureau will work with appropriate agencies and resources to help lower the incidence of abuse.

Abuse will include the following for use in this directive:

a. Any physical injury caused by other than accidental means, or which appears to be at variance with the explanation given of the injury.
b. Neglect, or the failure to provide basic care, such as necessary goods or services, resulting in physical harm, unreasonable discomfort, or serious loss of human dignity.
c. Failure to provide direct patient care, (i.e., abandonment, desertion, or willful forsaking of an elderly person or the withdrawal or neglect of duties and obligations owed a dependent adult by a caretaker or other person).
d. Sexual or verbal abuse, or involuntary seclusion.
e. Financial exploitation or the illegal or improper use of another individual’s resources for personal profit or gain.
PROCEDURE (640.35)

Within two hours of the receipt of a report alleging abuse to a person in a long-term care facility or nursing home, a uniform member shall be sent to investigate. The investigating member must actually go to the facility or setting to determine the nature and cause of abuse to the patient(s). A person from Aging and Disabilities Services (ADS) is available to make an on-site visit with the member to provide intervention services as needed. The phone number is available under the Gatekeeper Program in the Problem Solving Resource Guide. Abuse in settings other than nursing facilities will be responded to in accordance to the immediacy of the situation.

If the abuse appears not to be of a criminal nature, the responding member will report the situation to ADS at the 24-hour number. As the mandated social services agency in Multnomah County, ADS will make a visit to conduct protective services investigations and intervention. If evidence of criminal activity is subsequently discovered, an Adult Protective Service (a program within ADS) worker will contact a uniform member for assistance.

The elder or person with disability may be photographed for the purposes of preserving evidence of the condition of the patient at the time of the investigation.

As defined by case law, reasonable cause is a reasonable ground for belief in guilt. For the purposes of this directive, the term will be considered the same as probable cause. If the investigation shows reasonable cause to believe that abuse has occurred, the investigating member will complete an Investigation Report and immediately notify ADS for follow-up services. The Elder Crime Response Team (ECRT) will send a copy of all reports relating to abused patients to ADS.

When a member believes it is necessary to remove an elder or person with disability from a long-term care facility, or other setting, due to abuse or neglect, and the person is agreeable, or, if unable to communicate, and a member determines that their present setting presents a risk to their health and safety, all efforts should be made to place them with a friend or relative. When this is not possible, call the ADS Help-line to provide information on an available placement location. In each of these cases, an Investigation Report will be completed and ADS will be indicated in the distribution box.

Under no circumstances will a call regarding elder abuse be given a coded disposition indicating no report was written. A Special or Investigation Report must be written detailing the member’s actions and documenting that ADS was either notified by telephone or forwarded a copy of the report.

All reports and evidence gathered under this order will be marked Confidential by the investigating member. The report and any pertinent supporting information may be shared with ADS protective service workers conducting elder and disability abuse investigations. All reports and documents gathered by ADS will be available to the investigating member.

ECRT sergeant will be responsible for case assignment for follow-up investigations.
POLICY (640.40)
When it is necessary to conduct an investigation or take a student or other person into custody at any school, members will attempt to keep the purpose of his/her presence confidential. Members will also contact the school principal or his/her representative before proceeding or taking action, unless such contact would impede the investigation, create a hazardous or dangerous situation, or allow a person to escape. Members will immediately notify their supervisor if such action is taken without notification of the principal.

PROCEDURE (640.40)

Directives
Specific
Definitions
Public School Property: All property owned, rented, or leased by the school districts (David Douglas, Parkrose and Portland) for instructional, administrative, or support purposes.

Student-occupied school: An elementary, middle or high school that is designated by the school districts as being part of an identified school cluster and is used to instruct students.

School Police Division Responsibilities (640.40)
The School Resource Officers (SRO) at each precinct have primary responsibility for calls for service and the preliminary investigation of criminal acts that occur on student occupied property while on duty or during school hours.
The SROs are responsible for conducting follow-up investigations of misdemeanor or criminal acts that occur on student occupied property during school hours.
Contract security personnel will make primary contact for after hour alarms and on weekends at school properties.

Bureau Member Responsibilities (640.40)
Precinct officers will be responsible for calls for service if SROs are off duty or unavailable. Bureau members responding to calls for service involving non-occupied buildings will be responsible for primary and follow-up investigation.
Follow-up investigations of felonies occurring on school property will be conducted by the appropriate detective unit.

Police Contacts on School Property (640.40)
Interviews with the students at a school may be conducted in the presence of the principal and/or a representative. Upon the request of a student (or if the member determines that the circumstances of the investigation make such presence inappropriate), the principal and/or representative will not be present. A member taking a
juvenile into custody on school property will, when possible, notify the principal or his/her representative and the juvenile’s legal guardian before leaving the school.

640.45 CRISIS RESPONSE TEAMS

Index: Title; Crisis Response Team, Call Out Procedure
Refer: ORS 161.015 General Definitions
       DIR 210.45 Citizen Volunteers
       DIR 240.00 Employee Assistance Program (EAP)
       DIR 612.10 Death Messages
       DIR 631.34 Critical Incident Notification
       DIR 640.10 Crime Scenes
       DIR 640.80 Mandatory Bias/Prejudice Crime Reporting
       DIR 1010.10 Deadly Physical Force
       PPB Problem Solving Resource Guide (SSD)

POLICY (640.45)

CRTs are available to assist anyone who is a victim of a crime and/or has been impacted by a traumatic incident; regardless of their ethnic or religious background.

CRTs are available to respond anywhere in the metro area, as well as to other counties when requested and approved by an on-duty supervisor of the RU of assignment, at any time to assist the victims of traumatic events, their families, loved ones, and the community at large. CRTs are available to assist outside law enforcement agencies as needed. If responding outside the Portland city limits, the CRT officer will notify the RU manager. CRTs do not have investigatory responsibilities. CRTs are available to provide support and assistance to the community. CRTs may be available to serve as an interpreter for communicating with individuals in their native language based on the CRT’s proficiency.

The CRT assistance for victims and others directly impacted by the incident may range from crisis intervention and referrals to pre-funeral arrangements and attending funeral services. The CRT may also be used as an outreach tool during special community events (i.e., Cinco de Mayo, community marches), and to assist with dispelling rumors and tension following an emotionally charged incident.

PROCEDURES (640.45)

Directive Specific Definitions

Crisis Response Team (CRT): A group of screened and trained volunteers from various ethnic, religious, professional and personal backgrounds who provide crisis intervention and counseling, bereavement support and other services that are not available through normal channels.

Crisis Response Team Coordinator: A member who is responsible for the recruit-
ment, training and supervision of the Crisis Response Team volunteers.

Traumatic incident: An incident in which one or more people have been seriously injured and/or killed, or have died unexpectedly, and there are family and community members directly or indirectly impacted.

Member Responsibilities (640.45)

Mandatory CRT Notifications

a. The primary member or on-scene supervisor will ensure that CRT notification is made for the following incidents. The request should be made as soon as practical:
   1. All homicides.
   2. All deaths and serious injuries (per ORS 161.015) resulting from police actions.
   3. Police related investigations involving youth and/or gang violence, including assaults, requiring participants to be transported to a medical facility.
   4. Serious hate and bias crimes involving, but not limited to, the following circumstances:
      a) Arrest of a suspect involved in the crime.
      b) The crime may pose a significant impact on a certain community.
      c) The crime caused significant emotional trauma to the victim as indicated by the victim’s emotional state.
      d) Any other circumstance which causes the member to believe that CRT assistance would benefit the victim.

Discretionary CRT Notifications (640.45)

a. Any sworn member on scene at any traumatic incident, not already listed, may request CRT notification.

b. On-scene supervisors in crowd control situations may request assistance from the CRT coordinator if the supervisor believes the CRT coordinator can help dispel crowd tensions.

c. SIDS (Sudden Infant Death Syndrome) to support the family.

d. Other deaths (i.e., fatal traffic crashes, drowning) may be considered.

Requesting Member Responsibilities (640.45)

a. CRT call out request will be made through BOEC, or by pager.

b. The member making the request may be contacted by the CRT Coordinator prior to CRT being dispatched. The member will brief the CRT Coordinator at that time and advise who is the contact person on scene.

c. Document, in the appropriate report, that CRT was notified.
CRT Coordinator Responsibilities (640.45)

a. Upon notification of a CRT call out, the CRT Coordinator will receive a briefing on the incident to include the following information:
   1. Nature of the incident.
   2. Location of the incident.
   3. Number of individuals involved.

b. The CRT Coordinator will decide the appropriate level of response, and initiate the call out based on his/her assessment.

c. The incident will be documented to include all CRT members who responded and his/her actions at the scene.

d. Coordinate with, and provide updates to, the appropriate precinct commander and investigating unit.

RU Manager Responsibilities (640.45)

a. Resolve any issues that result from a CRT response.

b. Ensure adequate training for CRT volunteers is received prior to the volunteers being called to scenes.

c. Ensure the volunteers have had the required background check performed and that the volunteers have been issued the proper equipment.

d. Ensure the volunteers are adhering to appropriate Bureau policies and procedures.

640.50 TRAFFIC CRASH INVESTIGATIONS

Index: Title; Fatal Crash Investigation; Vehicle, Crash Investigations
Refer: ORS 801.400 Premises Open to the Public, defined
ORS 810.460 Officer’s Crash Report; Use
ORS 810.470 Forwarding Crash Reports to DMV
ORS 811.720 Traffic Crash Reporting Requirements
DIR 630.05 Vehicle Pursuits
DIR 630.31 Assisting Motorists
DIR 630.60 Vehicle Disposition
DIR 640.54 Prisoner/Suspect Damage to City Property
DIR 761.00 Hazardous Material Incidents
DIR 860.10 Traffic Citations and Arrests
DIR 1010.10 Deadly Physical Force
Oregon Police Traffic Crash Report (Traffic)
Oregon Traffic Collision and Insurance Report (Traffic)
Report of Automobile Collision or Loss (City)
Traffic Crash Exchange Form (Traffic)
Uniform Traffic Citation and Summons (Traffic)
PROCEDURE (640.50)

Directive Specific Definitions

Fatal vehicle crash: A traffic crash that causes the death of one or more persons.

Non-traffic crash: A vehicle crash that occurs on private property or premises that is not open to the public.

Potential fatal crash: A traffic crash that produces critical injuries that are likely to result in death as determined by EMS personnel.

Traffic crash: Any unintentional crash involving a motor vehicle and another vehicle, person or object, originating on a public highway or on premises open to the public, which results in property damage, personal injury or death. Incidents involving structured training exercises (i.e., In-service, Advanced Academy, etc.) through the Training Division (Training) or Traffic Division (Traffic) are not classified as traffic crashes.

Vulnerable road users: A person such as a pedestrian, highway worker, person riding an animal or a person operating a farm tractor, a skateboard, roller skates, in-line skates, scooter, or a bicycle on a public way, crosswalk or shoulder of the highway.

Investigation Criteria (640.50)

Members will investigate the following types of crashes. This investigation will include completing an Oregon Police Crash Report.

a. Fatal crashes.

b. Physical injuries with entry into the Regional Trauma System by on-scene EMS personnel.

c. Accidents involving physical injury to vulnerable road users where the vulnerable road user is transported by ambulance.

d. Drivers who are under the influence of intoxicants.

e. Drivers that fail to perform the duties required of them at the scene of a traffic crash (hit and run).

f. Hazardous material spills: Members should determine if a trained motor carrier officer is on duty from Traffic or other precincts to assist in the investigation.

g. An emergency code run by the police, whether or not a police vehicle was involved.

h. Members will disposition the call with the following new codes instead of R1. Use RV if vehicle only involved, RP if pedestrian involved (including wheelchairs), and RB if bicycle involved.

i. When a citation is issued to a driver involved in a crash for a violation other than a vehicle licensing, operator licensing or financial responsibility statute.
Deliberate police action using pursuit intervention techniques such as PIT or spike strips are not considered traffic crashes and do not need to be reported as such.

**Trauma Injury and Non-Injury Crashes (640.50)**

a. **BOEC Responsibilities:**
   1. Dispatch the nearest precinct uniformed member to the scene of a traffic crash.
   2. Dispatch a Traffic member, if requested.

b. **Member Responsibilities:**
   1. Members will treat all crashes as potential crime scenes.
   2. Upon arrival at a crash scene, members will determine if the crash must be investigated (see investigative criteria 640.50). If the crash is a fatal or potential fatal, the member will notify a precinct supervisor as soon as possible (these types of fatal crashes will be investigated per the Fatal and Potential Fatal section, 640.50).
   3. Members will investigate all other crashes that meet the investigative criteria and are encouraged to investigate crashes that do not. At a minimum, for crashes that do not meet the investigation criteria, members will:
      a) Make every effort to provide assistance and information to involved persons. This includes completing and issuing copies of a Traffic Exchange Report to involved parties.
      b) Check all drivers for warrants, driving privileges, proof of insurance and registration violations.
      c) Cite violators when feasible.
   4. If involved parties have been transported to a hospital prior to the members arrival, the member will consult with on-scene EMS, or BOEC, if EMS has left the scene, to determine if the crash is a fatal crash or if any person will be entered into the regional trauma system.
   5. If an investigation is required, the member may request a Traffic member respond to investigate. If a Traffic member is unavailable, the member will investigate and complete the Oregon Police Crash Report.
   6. If the crash does not need to be investigated, and it is not feasible to do so, the member will assist the involved drivers as needed and facilitate clearing the scene of debris and vehicles.
   7. Members are reminded that a complete Traffic Crash report will include statements from drivers, passengers and witnesses involved. It should also include documentation of injuries, if known, obtained in accordance with applicable laws. Members will obtain this information by interviewing the involved persons at the hospital if necessary.
Follow-up visits to the hospital are required to obtain statements if the injured person cannot initially respond to the member’s inquiries due to the severity of their injuries.

**Potential Fatal and Fatal Vehicle Crashes (640.50)**

a. Member Responsibilities:
   1. Secure the crash scene and treat it as a crime scene.
   2. Advise an on-duty precinct supervisor that it is a fatal or potential fatal crash.
   3. Request that Forensic Evidence Division (Forensics) respond to the scene via BOEC.
   4. Traffic members will complete the Oregon Police Traffic Crash Report. Other members will document information and/or evidence they collected on a Special Report and submit a copy to the investigating member before the end of their shift.

b. Precinct Supervisor Responsibilities:
   1. If there are no on-duty Traffic members, the supervisor will contact the Traffic Division Major Crash Team (MCT) supervisor via BOEC and request a callout.
   2. Supervisors will document information and/or evidence they collected on a Special Report and submit a copy to the investigating member before the end of their shift.

**Hit & Run Crashes with Suspect/Vehicle Information (640.50)**

a. BOEC Responsibilities:
   1. Dispatch nearest precinct uniformed member to the scene of a hit and run crash.
   2. Dispatch a Traffic member to the scene of an injury hit and run crash.

b. Member Responsibilities:
   2. Place holds on vehicle only when required to locate or identify a suspect, or to collect and preserve evidence.
   3. Advise parties to wait at least 48 hours before contacting the Traffic Investigations Unit (TIU) for information.
   4. Follow-up positive leads. TIU will conduct additional follow-up investigations on hit and run crashes per Traffic’s SOP.

**Hit and Run Crashes without Suspect Information (640.50)**

BOEC will forward to the Telephone Report Unit (TRU), all calls regarding hit and run crashes that do not involve an injury and when there is no suspect or suspect vehicle information.
POLICY AND PROCEDURE

Police Vehicle Crashes (640.50)
Crashes that involve Bureau owned or leased vehicles will be investigated by a Traffic member, if available, or a precinct member.

a. Involved member responsibilities:
   1. Notify BOEC and a supervisor.
   2. Complete the following reports:
      a) Report of Automobile Collision or Loss.
      b) Special Report.
      c) Oregon Traffic Collision and Insurance Report, as required by ORS 811.720. The insurance information for city vehicles is:
         City of Portland – Bureau of Risk Management
         1120 SW 5th Ave., Room 1012
         Policy # SI CERT # 25

b. Investigating member responsibilities:
   2. Complete a special report with a diagram that captures driver information, vehicle information, insurance information, road conditions, lighting in the area, weather at the time of the crash, causal factors of the crash, contributing factors that lead to the crash, and any other relevant information that explains how, why, when and where the crash occurred.

c. Supervisor responsibilities:

City Owned or Leased Vehicles (640.50)
Members investigating crashes involving city owned or leased vehicles within the city limits will complete the Oregon Police Traffic Crash Report if the crash is reportable as defined in ORS 811.720.

Crashes Outside the City of Portland (640.50)
Members involved in a vehicle crash outside the city limits and while driving a City owned or leased vehicle will notify a supervisor and request that the local law enforcement agency having jurisdiction investigate the crash.

640.52  VEHICLE COLLISION REVIEW BOARD
Index:  Title
Refer:  City Code 3.58.060  Fleet Accident Review Boards
        DIR 341.00  Discipline Process
        DIR 630.05  Vehicle Pursuits
        DIR 640.50  Traffic Crash Investigations
POLICY (640.52)

Collisions involving Bureau assigned vehicles will be investigated and reviewed by a panel of peers. This function will be carried out by the Collision Review Board (CRB) which meets the requirements of the City for a Fleet Accident Review Board (FARB).

PROCEDURE (640.52)

The Collision Review Board

The CRB will consist of ten members, including the Loss Control manager who will serve as the chairperson. The remainder of the CRB will be comprised of representatives from the following divisions: Traffic, Training, Detectives, Fleet and five representatives from precinct operations. It is not mandatory that each RU be represented individually. The RU manager of an outgoing board member will determine his/her replacement.

The CRB will meet monthly at a regularly set time and location. A minimum of five CRB members must be present to conduct a meeting. All collisions and damage involving Bureau assigned vehicles with another vehicle, object, or person will be reviewed, except collisions resulting from the use of techniques as defined by DIR 630.05.

The CRB serves two main functions in the review of Bureau vehicle collisions:

a. Ensure that investigations and documentation are complete.

b. Make a recommendation for finding on all cases reviewed and submit the recommendation to the appropriate RU manager for consideration.

Collision Review Process (640.52)

Copies of all reports that are generated from a vehicle collision investigation are to be sent through channels to Police Liability Management (PLM). These include, but are not limited to, accident reports, Special Reports, After Action Reports and City Traffic Accident Reports. Files will be established for each case and copies distributed to the CRB for their review. If these documents are not received in their entirety, the CRB may elect to send the case back for further investigation prior to hearing the case.

The CRB will consider only the facts and circumstances of each individual case. A member’s past driving history will have no bearing on the recommendation given.

PLM will notify members of the date, time and location of the CRB meeting that will be reviewing their case. Members will have an opportunity to attend the meeting when their case is reviewed. If the members wish to attend the CRB meeting, and are unable to do so, arrangements can be made with PLM to have the case rescheduled to the following month. Members attending a CRB meeting will be given an opportunity to speak concerning the circumstances of the collision and may
be asked questions by the CRB to assist in their understanding of the incident.

Upon completion of each case, the CRB will make a recommendation for finding to the member’s RU manager. The recommendation for finding, along with the investigation completed by the member’s supervisor, will assist in the final determination. If the CRB finds that an investigation is incomplete, the case may be sent back to the investigating supervisor for follow up.

The CRB’s recommendation for finding will be based on criteria established by the National Traffic Safety Council (i.e., did the driver do everything reasonable to avoid the collision?). Recommendation categories include:

a. Preventable – (i.e., the driver failed to recognize a hazardous condition or circumstance and failed to take appropriate action to maintain control of the vehicle and avoid a collision.).

b. Non-preventable – (i.e., the driver did recognize a hazardous condition or circumstances and took appropriate action to maintain control of the vehicle and avoid a collision.).

c. Not an Accident – (i.e., when a collision and investigation had been initiated and concluded that there was a deliberate action taken by a driver that resulted in damage or injury, or that a non-deliberate action had occurred, but it was later determined that there was no damage and no injury.).

Members are often required to drive under circumstances that are unusual and at times extreme. The determination of preventable/non-preventable by the CRB must be tempered by the nature and significance of the mission at hand.

Members will not be notified at the time of the meeting of the CRB’s recommendation for finding. The RU manager will give notice to the member of the final determination.

Should the recommendation of the CRB be in conflict with initial supervisory recommendations, the CRB will submit an additional memorandum to the RU manager explaining the CRB’s rationale.

If an RU manager finds a case to be preventable, he/she will make a recommendation, including discipline, to the Branch chief. It is the responsibility of the RU manager to notify PLM of their recommended discipline and when the discipline has been completed, as PLM maintains the driver history information for Bureau members.

Should the RU manager’s final decision be in conflict with the recommendation of the CRB, a memorandum will be submitted by the RU manager to his/her Branch chief, with a copy to the CRB, explaining his/her decision.

The CRB will not make a recommendation for specific discipline and will not track this process. However, since the ultimate outcome of collision investigations is possible disciplinary action, Bureau policies for disciplinary action will be followed.

The CRB will produce an annual report for RU managers and, when necessary, identify factors that may lead to improved training and education. The CRB will
produce a monthly summation of the recommendations for finding given at each meeting.

640.54 PRISONER/SUSPECT DAMAGE TO CITY PROPERTY
Index: Title
Refer: PPB Property/Equipment Inventory Status Report (Facilities/Fleet)
City Form CP1428.1 (Facilities)

PROCEDURE (640.54)
Damage to City property that meets the definition of any degree of criminal mischief, arson or reckless burning will constitute damage under the provisions of this directive. In situations where a person is suspected of damaging any City-owned property resulting in a monetary loss, the arresting member will do the following:

a. If possible, charge the suspect with the appropriate degree of criminal mischief, arson or reckless burning.


c. Complete City Form CP1428.1, if the property damage is a vehicle.

d. Complete a PPB Property/Equipment Inventory Status Report, if the property, including electronic equipment installed in or on vehicles, is destroyed or damaged beyond repair.

e. Have the on-duty sergeant ensure that damage is photographed.

f. Route a copy of the report to the Administrative Supervisor at the precinct or division for their action.

The Administrative Supervisor will arrange to have the appropriate City Bureau determine the damage costs as soon as possible.

a. If the damage is done to a vehicle, the estimate should be obtained from City Fleet.

b. If the damage is done to any other equipment, including electronic equipment installed in or on vehicles, Fiscal Services will be contacted to arrange an estimate.

If any of the crimes charged is a felony (either the original crime or the property damage charge), the damage estimate, the name of the estimator, the Investigation and Custody Report and the Investigation Report number will be forwarded by the Administrative Supervisor or designee to the appropriate Detective detail. In turn, the assigned Detective detail sergeant will forward the case material and damage estimate to the appropriate district attorney unit prior to the suspect’s arraignment, or as soon as possible.

a. In addition, if either the original crime and/or the property damage charge is a felony, copies of the case material and damage estimate will be forwarded
by the assigned Detectives detail sergeant to Fiscal Services (Fiscal).

b. In the event that the District Attorney’s Office (DA) decides not to issue a complaint on the damage charge, or in the event that a complaint is issued but subsequently pled out in order to obtain a conviction on a more serious felony charge, then the assigned DA unit will be responsible for sending a memorandum to the assigned Detective unit. The memorandum should contain the report case number(s), the date of the crime occurrence, the defendant’s name(s), and the reasons the damage charge(s) was declined. The assigned Detective unit’s sergeant will be responsible for notifying Fiscal by memorandum so that Fiscal can initiate civil action for the restitution of the property damage. The memorandum to Fiscal will contain the report case number(s), the date of occurrence, the defendant’s name(s) and a copy of the DA’s memorandum specifying the reason(s) for not prosecuting the damage charge(s).

If the crime charged is a misdemeanor (either the original crime or the property damage charge), the damage estimate, the name of the estimator, the report case number will be forwarded to the Prosecution Liaison office, and, in turn, forwarded to the DA prior to the suspect’s arraignment, or as soon as possible.

640.60 DYING DECLARATION – HOMICIDE

Index: Title
Refer: ORS 165.540  Obtaining Contents of Communications
Oregon Evidence Code – Rule 804(3)(b)  Dying Declaration, defined

PROCEDURE (640.60)

Directive Specific Definition
Dying declaration: “A statement made by a declarant while believing that death was imminent, concerning the cause or circumstances of what the declarant believed to be impending death” (Oregon Evidence Code – Rule 804(3)(b).

Member Responsibilities (640.60)
It must appear that the person making a dying declaration is aware of their impending death. This need not necessarily appear from an expressed statement, but may be inferred from signs, nods, pressure of the hand, or pointing to visible persons or objects in answering leading questions.

Whenever possible, a dying declaration should be taken from a victim when it is evident that the injured person may die. A dying declaration, if at all possible, should be reduced to writing, signed by the person making the declaration, and duly witnessed.

a. When there is neither time nor opportunity to reduce the statement to writing, the words used are admissible as evidence. If the member receiving
them cannot remember the exact language, the member should state the
substance, but it must be sufficiently clear and definite to indicate precisely
the meaning and intent of the person making the statement.
b. The statement, or substance of the statement, should be recorded in the
member’s notebook.

A member taking a dying declaration should first ask the injured person, in the
presence of witnesses, if the person believes that they are about to die. After the
injured person has answered this question in the affirmative, the member should
proceed with the statement in the presence of witnesses. When the member-in-
charge of the scene of a crime, or in a hospital, is informed by a licensed physician
that the criminally injured person cannot recover, the member will immediately
notify a supervisor and the Detective Division (Detectives).

Detectives will dispatch a member of their division, if one is not already present,
to take the statement of the dying person. In the event the condition of the injured
person does not permit waiting for a supervisor or detective, the member who is
present and in charge, will proceed at once to obtain a dying declaration in the
presence of witnesses. The dying declaration may be tape recorded if the dying
person is specifically informed according to ORS 165.540. Example:

I, __________________, believing that I am about to
die and having absolutely no hope of recovering, do hereby
solemnly declare that ________________ (name of accused),
did on or about the _____ day of ____________ A.D., 200__, in
the City of ______________, County of ______________,
(here give the detail if injuries inflicted, or if a poisoning, state
the detail as fully as possible).

I hereby declare that the above statement is the truth, the
whole truth, and nothing but the truth, and that it is made by
me under the fixed belief that I am about to die and I look to
death as inevitable and at hand.

__________________
Signature
Witnesses:

__________________

Dated, Portland, Oregon __________, 20__.

In the event the person accused or suspected of inflicting the injury is in custody,
they will be brought before the dying person for the purpose of identification. This
should be done in the presence of witnesses so that they may be able to testify as
to the manner in which identification was made.
POLICY (640.70)
Juveniles taken into custody, who may lawfully be photographed and/or fingerprinted, will be photographed and fingerprinted by the Forensic Evidence Division (Forensics) staff.

PROCEDURE (640.70)
Directive Specific Definitions
Juvenile: A person within the jurisdiction of the juvenile court.
Measure 11 crimes: As defined in ORS 137.700.

Custody Processing Requests (640.70)
a. All juveniles taken into custody for any felony or class A misdemeanor shall be fingerprinted and photographed at Forensics, Room 1250, Justice Center. Juveniles taken into custody for class B and C misdemeanors may be fingerprinted and photographed at Forensics. Members shall ensure that fingerprinting and photographing of the juvenile is done prior to transporting the juvenile to New Avenues For Youth (NAFY), to the Juvenile Justice Center (JDH), or release to any other authority. In transporting the arrested juvenile to Forensics, the following procedure will be followed:
1. Prior to presenting the arrested juvenile at Forensics for processing, members will contact Forensics via radio, using Net G12 (Detective Tactical 5) or by calling the Forensics front desk. As Forensics staffing permits, Forensics will advise that the arrested juvenile can be brought directly to Forensics. If staffing does not allow immediate processing, members will be advised to standby in Central Precinct. Members will place the juvenile in a Central Precinct Holding Cell and remain at Central Precinct’s holding area to monitor the juve-
nile. The member placing the arrested juvenile in a holding cell will complete the Juvenile Secure Custody log form for that holding cell (per DIR 850.30). A notation shall be made in the police report listing the duration of detention and if the offender was handcuffed (DIR 850.30). Forensics staff will advise the members via Central Desk when the arrested juvenile may be brought to Forensics for processing. This will be done by Forensics in as timely a manner as staffing permits.

2. Two officers must accompany and remain with the arrested juvenile at all times while in Forensics.

3. Arrested juveniles presented for processing will only be brought into Forensics via the Prisoner Processing Door. They will not be brought into Forensics via the door to the office area.

b. Arrested juveniles who are 16 and 17 years of age and taken into custody pursuant to a warrant for a Measure 11 crime will be processed at the Multnomah County Detention Center (MCDC).

c. Measure 11 arrested juveniles who are conditionally released to close street supervision and are 16 or 17 years of age will be housed at the adult facility if they violate the conditions of release.

d. Polaroid photographs may be taken in conjunction with temporary exclusion notices, (i.e., exclusions). These photographs must be destroyed when the exclusion notice expires unless they become evidence in a crime.

e. Additionally, ORS authorizes a law enforcement agency to photograph and fingerprint a juvenile:

1. Pursuant to a search warrant.
2. According to the laws concerning adults if the juvenile has been transferred to criminal court for prosecution.
3. Upon consent of both the juvenile and the juvenile’s parent or guardian after being advised that they are not required to give such consent.
4. By order of the juvenile court.

Non-Custody Processing Requests (640.70)

Juveniles who are not in custody may be fingerprinted and photographed.

a. In situations where juveniles voluntarily consent to being processed, they will be processed at Forensics. The requesting investigator will complete a Voluntary Fingerprint/Photo Consent form.

b. Processing will be done at Forensics when the processing is being conducted pursuant to a court order. A parent, guardian or agent of the juvenile court must be present during the processing. Requesting members need not be present during the processing.
All Member Investigative Responsibilities (640.70)
Verify the status of any previously acquired copy of a Crime Capture System (CCS) photo before it is used for an investigation. Because some images may still be visible under the photo line-up menu even though a court has ordered the juvenile’s record be sealed or expunged, it is necessary to confirm that the image is legally available for use in a photo line-up. To validate each picture in a photo lineup, print an internal copy that lists the MCL numbers, and check each picture individually. This includes every image in a photo line-up, not just the suspect’s photo. Expunged photographs can only be used if the creation of the photo throw down came before the expungement order (See ORS 136.432).

Forensic Evidence Division (640.70)

a. Fingerprint and photograph juveniles at the request of investigating members who are in compliance with this order and within statutory guidelines. In the event a disagreement arises as to whether or not the request meets the guidelines of this directive and the state statute, Forensics will process the juvenile suspect and refer the matter to a Forensics supervisor.
   1. If it is determined that the request did not meet the directive and state statute requirements, the investigating member will be consulted and the fingerprints and photographs purged from the files.
   2. If there is a dispute, the city attorney’s office will make the final decision as to whether the documents should be destroyed.

b. Maintain and control the release and purging of fingerprint and photograph files according to state statute.

c. Control juvenile fingerprints and images.

d. Process all juveniles as required by ORS and this directive.

e. Provide the Records Division (Records) with PPJ numbers.

RU Manager Responsibilities (640.70)
If juvenile Polaroid pictures are maintained within the precinct/division in conjunction with exclusion notices, managers will control the release/purging of the files.
POLICY AND PROCEDURE

640.75 POLYGRAPH EXAMINATION

Index: Title; Polygraph, Authorized Instrument
Refer: ORS 163.705 Polygraph Examination of Victims in Certain Criminal Cases Prohibited
ORS 659A.300 Unlawful Employment Discrimination
ORS 703.050 Polygraph Examiner License Required
ORS 703.310 Polygraph Equipment Requirement
Title 29 USC Chapter 22 Employee Polygraph Protection Act of 1988
OAR 416-150-0010 Polygraph Examination of Juveniles in Custody of the Oregon Youth Authority

POLICY (640.75)
The polygraph (i.e., lie detector) is a valuable investigative tool that may be used in conjunction with, but not as a substitute for, a thorough investigation. The polygraph may be employed to verify, corroborate or refute statements, and narrow or focus investigative leads. The polygraph can assist in verifying and/or eliminating possible suspects and, in some situations, enhances the credibility of victims, witnesses, and informants.

A successful polygraph examination is dependent on a thorough investigation being conducted prior to the exam. Failure to do so may invalidate the results.

The polygrapher conducting the examination must be licensed by the State of Oregon as provided in ORS or under similar regulations in other states or federal jurisdictions. The polygraph is the only instrument for detection of deception that is authorized for use in criminal investigations and, therefore, will be the only instrument used by the Portland Police Bureau for such a purpose. Use of any other instrument purporting to be a detection of deception device is forbidden.

PROCEDURE (640.75)

Directive Specific Definitions

Exam or examination: The polygraph examination.
Polygrapher: A licensed operator of a polygraph.
Proficiency: A person skilled in the English language to understand, and be understood by other English speakers.
Subject: The person the polygraph exam is being administered to.

Appropriate use of a Polygraph Examination (640.75)
The results of a polygraph exam are admissible in court when the exam is administered:

a. In support of a warrant.
b. Is a condition of probation for sex offenders.
c. For probationary maintenance.
d. For bail hearings.
e. For suppression hearings.
f. For prison discipline hearings.

Confessions and incriminating statements obtained during these examinations may be admissible in court. The polygraph will not be used for the following:
   a. Probable cause, arrest, prosecution, or withholding of property.
   b. Employment purposes.
   c. On employees who are the subject of an internal or criminal investigation.
      1. There are exemptions to this. See the Employee Protection Act of 1988, the Portland Police Association Contract and ORS 659A.300 for details.
   d. To examine sex crime victims as a condition of prosecution.

Inappropriate Polygraph Exam Subjects (640.75)
The polygraph is an instrument that records the physiological responses of a subject to the questions he/she is being asked. There are certain types of subjects who generally should not be tested due to their adverse mental, physical or emotional states.

Subjects that may be inappropriate for testing are in one or more of the following categories:
   a. An I.Q. that is below 70.
   b. Younger than 14 (too immature).
   c. Is under the influence of drugs or alcohol.
   d. Is pregnant.
   e. Has a medical history that includes:
      1. Being prone to seizures.
      2. Respiratory illness.
      3. Recent major surgery.
      4. Recent serious injury.
   f. Is experiencing non-chronic pain, such as a headache, and/or suffering from lack of sleep.
   g. Has been involved in a lengthy interview or interrogation just prior to the exam.
   h. Is emotionally involved in a traumatic incident. This would include, for example, witnessing the event, or the loss of a loved one in a homicide. A subject in this category may be rescheduled at a later date for the exam.
   i. Has suffered a recent emotional shock, such as loss of a job.

Member Responsibilities (640.75)
Members wanting to schedule a polygraph exam need to contact the polygrapher at the Detective Division, who is responsible for scheduling the exam; or if the
polygrapher is unavailable, the clerical staff at Detectives. Members need to confirm that the following is completed before scheduling the exam:

a. Ensure that a thorough investigation of the crime has been done.

b. All witnesses, victims, and suspects must be interviewed prior to the exam.
   1. Subjects should be interviewed in person, when possible.
   2. Subjects who are scheduled for an exam must be told in advance of the exact nature of the allegations. A subject who hears the allegations for the first time at the exam could feel angered and/or alarmed. This could affect the results of the exam.

c. All reports for the case should be supplied to the polygrapher at least five days prior to the exam.

d. Subject should be advised of the following:
   1. Date, time and location of the exam.
   2. Exam will typically last three to four hours.
   3. No attorneys or other individuals are allowed to be present during the examination.
      a) Exceptions to this are at the discretion of the polygrapher, and are limited to interpreter or polygraph students.
   4. The Polygrapher will explain the entire procedure to the subject at the exam appointment.
   5. Subjects need to be proficient in English for the exam to be successful. A subject not proficient in English will be provided an interpreter during the exam.
      a) The polygrapher should be notified in advance of scheduling the appointment if English is not the subject’s native language.

Polygrapher Responsibilities (640.75)

a. The polygrapher will administer the test.

b. The polygrapher determines when an interpreter is required.

c. The polygrapher will make all arrangements for obtaining the services of an interpreter.

d. The polygrapher will generate a special report detailing the interview with the subject and the examination results.

640.80 MANDATORY BIAS/PREJUDICE CRIME REPORTING
Index: Title; Bias Crime, Prejudice Crime
Refer: ORS 181.550 Bias/Prejudice Crime Reporting
       City Ord. # 175158, Sec. 23.01.030 Gender Identity, defined
PROCEDURE (640.80)

Directive Specific Definitions

Bias/prejudice crime: A crime motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, gender identity, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status, or citizenship of the victim.

Hate crime: Any criminal act that appears to have been primarily motivated by prejudice based on race, color, religion, national origin or sexual orientation. This is a subcategory of bias/prejudice crimes that requires a specific response by members of the Bureau.

Victim category/status: Defined as race, color, religion, national origin, sexual orientation, gender identity, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship.

Member Responsibilities (640.80)

Members responding to criminal offenses need to be aware of the criteria used to determine whether a criminal act falls within the mandatory bias/prejudice crime reporting requirements. The following information will assist members in making such determinations:

a. The motivation of the perpetrator, as expressed in statements made to the victim or to the member, (i.e., slurs, epithets).

b. The belief of the victim that the intent of the act was based on bias or prejudice.

c. The nature of the symbols used to deface public or private property indicate bias or prejudice.

d. The date and time of the occurrence corresponds to a holiday of significance.

e. Observations made by the member and the common sense review of the circumstances surrounding the incident which indicate bias or prejudice. Such observations may include the group or groups involved, the manner and means of the crime committed, and recurring patterns of similar incidents in the same area or against the same victim.

Members responding to crime scenes determined to be motivated by bias or prejudice will:

a. Ensure that victims are handled in a sensitive and caring fashion.

b. Place the notation Bias Crime across the top of the Investigation Report.

c. Include a statement in the Summary section of the Investigation Report which describes how the crime appeared to have been motivated by bias or prejudice, based on the category or status of the victim as perceived by the offender.
d. Ensure the victim receives victim assistance information.
e. Notify a supervisor, if the criminal offense is determined to be a hate crime.
f. Request that a supervisor respond to the scene, if the hate crime is a felony.

**Supervisor Responsibilities (640.80)**

Supervisors will:

a. Notify a Detective Division (Detectives) supervisor to determine if investigators will be dispatched to the scene of any hate crime.
b. Contact the Forensic Evidence Division (Forensics) to ensure that any available evidence is collected and preserved.
c. Ensure that a complete and detailed investigation is conducted.
d. Ensure that copies of hate crime reports are left for the precinct commander.
e. Personally notify the precinct commander when a felony is involved.

**Detective Division (640.80)**

Detectives supervisors will:

a. Assign all felony hate crimes for follow-up investigation.
b. Review all misdemeanor hate crime reports for possible assignment.
c. Ensure that follow-up is conducted on assigned cases.
d. Work with the DA to coordinate prosecution.

**Precinct Commanders (640.80)**

Precinct commanders becoming aware of a hate crime will ensure that the following individuals receive a copy of the report on the next workday. When those cases involved a felony, the same individuals will be personally notified by the precinct commander:

a. The Chief of Police.
b. The Operations Branch chief.
c. The Public Information Officer.
d. Detectives Bias Crime Unit.

In cases involving felonies or in cases where the victim would benefit, the precinct commander will ensure that community leaders of the negatively impacted group are briefed on the situation and encouraged to provide support to the victim.

**Records Division (Records) (640.80)**

At the beginning of each month, Records will forward a letter of transmittal and copies of the previous month’s bias/prejudice reports to LEDS for their review. LEDS will determine if the incident is a bias/prejudice crime for Oregon Uniform Crime Reporting (OUCR) purposes.
RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (640.80)

Supervisors will ensure all members have the ability to identify bias crimes, and ensure members are aware of the investigation and reporting requirements. Detectives will have procedures in place to monitor bias crimes to the fullest extent possible.

640.90 PATROL BRANCH COVERT ASSIGNMENTS

Index: Title; Covert Assignments; Patrol Branch

POLICY (640.90)

It is an obligation for each sworn member of this Bureau to actively enforce City, State or Federal laws, whether in overt (i.e., in uniform) or covert (i.e., plainclothes or disguised and/or role playing) capacity, and as lawfully directed by a supervisor. Therefore, each member shall fulfill that obligation according to enforcement needs and with consideration of individual qualifications.

PROCEDURE (640.90)

It is more desirable to assign volunteer members to covert missions. However, dependent upon a variety of circumstances, including the size of a mission, and the hours and tactics of the operation, an adequate number of volunteer members may not be available. Therefore, the following procedures for selection of members to perform these duties will be used:

a. If the mission is initiated within a relief, members of that relief will be polled for voluntary assignment.

b. If, for any reason, an insufficient number of qualified members volunteer to satisfy needs to ensure the success of the mission, other reliefs within the Precinct be polled for volunteers.

c. If an insufficient number of members is attained through the voluntary process for a mission which is restricted to the relief level or for a mission which is expanded to the Precinct level, members may be ordered to perform in the function. Precinct and/or relief commanders may order individuals to serve as necessary. In order to ensure fairness in the distribution of involuntary assignments, and depending on the size, scope and specific needs of the missions, supervisors will attempt to rotate these assignments among qualified members of their command. Except under unusual circumstances, and unless the assignment is voluntary, no member shall serve in the covert assignment for longer than five (5) consecutive days during one (1) mission.

d. Exigent circumstances may require the immediate assignment of members without an opportunity to request volunteers.

e. If a mission is to be conducted jointly by two or more precincts, the same
principles of assignment cited above shall apply. Contractual obligations under the City and appropriate bargaining unit agreement(s) shall apply.

640.95 UNDERCOVER SAFETY AND OPERATION PROCEDURES

POLICY (640.95)
Undercover operations, investigations and missions are inherently dangerous. The use of sworn members in a covert role in an investigation will be limited to those instances where the use of other investigative tools (i.e., Confidential Reliable Informants (CRI), surveillance, and citizen information) is not practical or would compromise the integrity of the investigation. The overriding concern in any undercover operation is for the safety of the undercover member. A sergeant or above will supervise all undercover operations. It is essential that adequate cover officers are present during any undercover operation.

PROCEDURE (640.95)

Directive Specific Definition
Undercover member: A sworn member who is working in plainclothes and in a covert manner with the goal of making personal contact with another person in a criminal investigation.

Member Responsibilities (640.95)
An undercover member may work alone or with any number of undercover members. The undercover member should ensure that he/she does not have any items of clothing, equipment or any other item visible that would readily identify him/her as a sworn member. When in a covert role, the member is subject to the following:
a. At no time will an officer consume controlled substances as a part of the undercover role. If a situation arises where the undercover member is being forced to use controlled substances, he/she should refuse. If the suspect persists, the member(s) will extract his/herself from the situation and terminate contact.

b. A member working in an undercover role should be armed. If there is a specific reason the member cannot be armed, approval from the RU manager (or designee) will be obtained before the member works unarmed.

c. Members should avoid drinking alcohol when working undercover. In such situations and whenever possible, members will consume non-alcoholic beverages. If the need arises, a member may drink alcohol but should refrain from drinking in excess. Immediately after the operation the member will report to his/her supervisor that alcohol was consumed. In the event a member consumed alcohol, he/she will take no police action after consuming alcohol and the member will remain at his/her RU until the effects of the alcohol are gone.

d. Members should attempt to use audio recording devices while working undercover. If this is not practical or there is a legal reason for not recording, the member will seek supervisory approval prior to the commencement of the operation (DVD is available to assist with listening devices). Members working undercover in a prostitution mission will use audio recording devices during the entire mission, but only record those persons whom they have probable cause to believe are about to commit the crime of prostitution.

e. An undercover member will not engage in sexual contact. A member will not expose his/her genitals or commit criminal offenses, to convince others that he/she is not associated with law enforcement. A sworn member in a decoy role will not expose his/her private body parts, which includes female breasts, or touch the private body parts, which includes female breasts, of a john/prostitute. A sworn member in a decoy role will document in his/her report any unsolicited touching of the member’s private body parts by a john/prostitute. A sworn member will immediately disengage from any unsolicited touching by a john/prostitute and comment in his/her report how that was accomplished.

f. An undercover member will not commit criminal offenses for the purpose of disguising that he/she is a police officer. A controlled delivery of illegal drugs with the purpose of arresting the suspect and recovering the illegal drugs and/or the display of illegal drugs to a suspect to further an investigation are not criminal offenses.

g. A member working in an undercover role will not be the case officer for the investigation. The case officer, along with the supervisor, will be responsible for coordination of the operation. The undercover member’s
primary responsibility is to act in the covert role.

h. The undercover member should not become involved in an arrest while acting in a covert capacity. If a situation arises that an undercover member must take police action, he/she should extract him/herself as soon as cover members arrive and take control.

i. For safety reasons, an undercover member should avoid entering a suspect’s vehicle. If it is necessary to get into a suspect’s vehicle, resources will be in position to prevent the suspect from moving the vehicle from the operational area. Contingency plans to rescue the undercover member will be included in the operational plan. In a prostitution mission, the undercover member is never allowed to get in the suspect vehicle.

j. Supervisors should consider using the Air Support Unit in undercover operations to assist with the safety of the undercover member.

k. If there is more than one suspect in a case, consideration should be given to having more than one undercover member. Member safety should be the driving factor in determining how many undercover members to use.

l. If a CRI is used to introduce an undercover member to a suspect, the case officer, undercover member and the CRI will coordinate the covert role play. The CRI will be given detailed instructions to ensure the safety of the undercover member. The CRI and the undercover member should rehearse his/her roles so that there is no confusion when the covert operation commences. Care should be given to avoid giving the CRI confidential information regarding the undercover member, the suspect or the case.

m. Communications must be clear and concise between the undercover member and cover members during covert operations. Visual and audio signals will be included in the operational plan, as well as telephones, radios and pagers. Pager codes and signals should be worked out ahead of time so that the cover team can communicate on multiple levels with the undercover member. Predetermined signals will be established and briefed prior to the mission so that everyone involved in the operation is cognizant of the signals.

n. Any member, regardless of rank, can terminate an undercover operation if he/she sees or hears something that compromises the safety of any member involved in an undercover operation.

o. No probationary officer will work in an undercover capacity unless approved by the Training Division and appropriate Branch chief. Exceptions should be under exceptional circumstances and be vital to the completion of a specific case.

p. For safety reasons an undercover officer will perform their undercover duties in a public place or a public business and will not enter a residence to perform undercover operations because of the dangers entering a location controlled by a subject of an investigation. An RU manager can approve
an undercover officer to enter a residence only if a full review of all safety concerns are completed and weighed to ensure the safety of the officer and strict safety conditions are imposed on the undercover operation (i.e., mandatory body-wire worn by the undercover officer and a mandatory five person extraction team is available on site to rescue the undercover officer as needed).

**Supervisors Responsibilities (640.95)**

Supervisors will ensure that the undercover operation is thoroughly planned and that the safety of the undercover member is the primary focus during the planning process. When conducting undercover operations supervisors should consider the following:

a. All undercover operations will have a written operational plan that is approved by a sergeant or above.

b. Supervisors will ensure that there is appropriate cover present for any undercover operation. All surveillance and cover officers will be present for the operational briefing prior to the planned operation.

c. Communications will be outlined in the operational plan and will include: radio nets, telephone links, and visual/audio signals for the undercover member. This information will be included during the pre-operation briefing.

d. Contingency plans for rescuing the undercover member will be included in the written operational plan and this information will be included in the pre-operation briefing.

e. The unit supervisor conducting the operation should notify a supervisor in the precinct/jurisdiction of an undercover operation. When practical, uniform members working in the area should be notified of the undercover operation. The notification should include a description of the undercover member and the clothes he/she is wearing.

f. If the undercover member is going to be unarmed, the supervisor must seek RU manager’s approval before the operation commences.

g. In some undercover situations, it may be necessary for members to consume alcoholic beverages. In the event alcoholic beverages are consumed, members will not consume an amount which would impair to any degree their ability to perform their duty. In the event a member consumes alcohol, the supervisor will modify the member’s duty status in the event that the member is impaired by alcohol to any perceptible degree. The evaluation will be based on specific, concurrent, articulable observations made by a trained supervisor concerning the appearance, behavior, speech or body odors of the member in order to ensure that he/she takes no police action while under the influence of alcohol and that reporting requirements are adhered to. Additionally, supervisors are responsible to see members do
not drive a vehicle while still under the effects of alcohol.

h. If the undercover member is not wearing audio recording equipment, the supervisor will ensure that the operation occurs in a public area with good visibility.

i. The supervisor will confirm that the Electronic Listening Device report form is completed and delivered to the District Attorney’s office within 30 days of the recording of the verbal conversation as required by ORS 165.542 unless prior judicial authorization to record a verbal conversation (s) has been granted.

j. Undercover members should be encouraged to voice his/her level of comfort when asked to work in a covert capacity. At no time will a supervisor assign a member to work in a covert role if the member is uncomfortable with the operation plan or his/her ability to perform in a covert role.

k. The supervisor will coordinate with the Air Support Unit when using an airplane during undercover operations.

l. No undercover operation will be executed until the Oregon State Intelligence Network (OSIN) has been notified and the operation has been de-conflicted. It will be the supervisor’s responsibility to ensure this occurs prior to the operation.

m. All undercover operations will be debriefed as soon as practical.

n. Supervisors should complete the training in the use of the recording equipment.

RU Manager Responsibilities (640.95)

a. RU manager will ensure that supervisors are responsible for planning undercover operations and that the safety of the undercover member is a primary concern.

b. Managers will determine when it is appropriate for a member to work in an undercover role without a firearm.

c. RU manager will ensure that the precinct has the proper audio equipment (body wire) devices available for the undercover mission.

d. RU manager will ensure that all recording equipment will be purchased from the recommended list obtained through the DVD technicians.

e. RU manager will ensure that all recording equipment will be maintained by each division.

f. RU manager will ensure that all officers and supervisors involved in the use of the recording equipment have been trained by DVD technicians in the proper use of the equipment.

DVD Responsibilities (640.95)

a. All recording equipment used in an undercover prostitution mission will be selected by the DVD technicians.
b. DVD technicians will provide the training to all sworn members who will be using this equipment during the mission.

c. No other recording equipment will be used on an undercover mission or a prostitution mission unless it is approved by a supervisor from the DVD technician group.

d. After the DVD technicians have trained the members in the use of the recording equipment and the downloading of the recording, the member will be able to use the equipment at the division where they are assigned.

e. The supervisors should also complete the training in the use of the recording equipment.

650.00 SEARCH, SEIZURES AND INVENTORIES

Index: Title; Seizures; Inventories

Refer: ORS 131.005 Definitions
ORS 131.605 - 131.625 Stopping of Persons
ORS 133.525 - 133.537 Search and Seizure
City Code 14C.10 Police Duties to Inventory Property
DIR 631.60 Premises Entry
DIR 652.00 Search Warrants
DIR 660.10 Property and Evidence Procedure

PROCEDURE (650.00)

Directive Specific Definitions

Frisk: A cursory pat-down type physical search of a person.

Inventory: A mandated examination of a person or personal property, subsequent to arrest or seizure, for purposes of safety and documentation.

Search: When a person’s privacy interests are invaded. Unaided observation from a lawful vantage point is not a search in Oregon.

Seizure of property: When there is a significant interference with a person’s possession or ownership interests in the property.

Strip search: A thorough search wherein the detainee’s clothing is removed or rearranged so as to expose genitals, buttocks or breasts (when female).

Probable Cause (650.00)

With certain exceptions (i.e., consent search, emergency aid, incident to arrest, parole/probation searches, and protective sweeps), most types of searches require probable cause to be valid. In general, probable cause to search means a substantial objective basis to believe that more likely than not:

a. A criminal offense is being, or has been committed.

b. Items of evidence pertaining to that criminal offense are in a specific place sought to be searched.
Search Warrants and Exceptions (650.00)
As a general rule, searches require a search warrant (see DIR 652.00). There are exceptions to this general rule, wherein a search warrant is not required as a prerequisite to conducting a search (i.e., administrative, automobile exception, community caretaking, consent, emergency aid, exigent circumstances, hot pursuit, incident to arrest, parole/probation searches, protective sweeps, and stop & frisk). In order to search without a warrant, members must comply with the requirements for an exception as currently set down by the courts.

The following are subject to seizure:

- Evidence of or information concerning the commission of a criminal offense.
- Contraband, the fruits of crime, or things otherwise criminally possessed.
- Property that has been used, or is possessed for the purpose of being used, to commit or conceal the commission of an offense.
- A person for whose arrest there is probable cause or who is unlawfully held in concealment (i.e., children held in violation of a custody order and held in concealment from the court).

Member Responsibilities (650.00)

- As this area of law is constantly changing, it is all members’ responsibility to remain aware of current law (via Tips and Techniques, in-service training, etc.).
- Generally, searches and inventories of a detainee may be conducted by a member of the opposite gender from that of the detainee. When safety and other tactical considerations permit, in the judgment of the member(s) at the scene, the Bureau recommends that a member of the same gender as the detainee conduct the search.
- When a strip search is conducted, the search will be done by a member of the same gender as that of the detainee. A second member, preferably of the same gender as the detainee, will monitor the search (for safety and witnessing).
- A probing search into the vagina or anus of a detainee will not be done except under the authority of a search warrant and will only be performed by medical personnel at a medical facility.
- Members should document all searches in their notebook or an appropriate report. This documentation should include reasons for, nature of and results of the search.
- Unreasonable searches can result in discipline, suppression of evidence in criminal court or an award of damages in civil court.
Inventories (650.00)

a. Vehicles: Every vehicle towed (except private request tows) will be inventoried (City Code 14.10). A Property Receipt must be completed accounting for all items seized. If the vehicle’s owner or custodian is not available, a copy of the Property Receipt will be placed in a conspicuous place in the vehicle or given to the tow operator. When a vehicle is part of a felony crime scene, or known (or suspected) to contain evidence of a felony, members should consult with an investigative sergeant prior to towing the vehicle.

b. Detainees’ Personal Property: Per City Code 14.10, members will inventory all property of detainees.
   1. Prior to detention in a secure facility (i.e., police vehicle) or transport, members will remove all toxic, flammable, or explosive substances; contraband; articles or potential articles of escape; weapons and objects that are potential weapons.
   2. Once a detainee is accepted at a detention facility (i.e., MCDC), members will handle the detainee’s personal property in accordance with the detention facility’s policies and DIR 660.10 (i.e., placed in MCDC with the detainee, placed in the Property Room as evidence or safekeeping).
   3. Large items of personal property (i.e., backpacks) are not accepted by MCDC. Members will issue a Property Receipt for such items, and place those items in the Property Room. This property inventory is mandatory. Inadvertent discovery of evidence of a crime does not preclude charging the detainee with the discovered crime.

652.00 SEARCH WARRANTS

Index: Title
Refer: ORS 133.535 – 133.619 Search and Seizure Pursuant to Warrant
       DIR 631.60 Premises Entry
       DIR 650.00 Search and Seizure
       DIR 660.10 Property and Evidence Procedures
       DIR 660.30 Evidence Funds Use
       DIR 660.32 Agent/Informant Processing
       DIR 720.00 SERT and HNT Use
       Planned Operations Risk Assessment form (TOD)
       DVD Completed Activity Report (DVD)
       Search Warrant Checklist (DVD)

POLICY (652.00)

A search warrant should be obtained for all searches whenever there is time to do so and when there is any doubt about the necessity of obtaining a warrant.
PROCEDURE (652.00)

Any magistrate authorized to issue a warrant of arrest may issue a search warrant for:

a. Evidence of, or information concerning, the commission of a criminal offense.

b. Property that constitutes contraband or items otherwise criminally possessed.

c. Fruits of a crime (see ORS 133.535).

d. Property that has been used, or is possessed for the purpose of being used, to commit or conceal the commission of an offense.

e. A person for whose arrest there is probable cause or who is unlawfully held in concealment.

Search Warrant Issuance (652.00)

a. Application for a search warrant may be made by a district attorney or by any police officer. Search warrants and affidavits will normally be written by the member requesting the warrant. Warrant preparation will be coordinated with the appropriate investigative unit.

b. Search warrants are only issued upon a finding of probable cause to believe that an offense has or will be committed. The probable cause is based upon the member’s personal knowledge and/or hearsay information from another member, a named citizen or undisclosed informant. The probable cause is relayed to the magistrate through use of an affidavit. The affidavit should:

1. Contain a clear and distinct description of the place(s) to be searched and the item(s) to be seized.

2. Provide facts and circumstances which provide probable cause for the search. This includes:
   a) Information justifying the search; and
   b) Information leading to the belief that the object(s) of the search are in the places or the possession of the subject(s) to be searched.

c. Before issuing the warrant, the magistrate will need to be satisfied that probable cause exists. The magistrate may examine the affiant or any witnesses under oath.

d. Prior to the issuance of a search warrant, a magistrate may request that a meeting be arranged at a time and place convenient for all parties involved, so the magistrate can interview any informant(s) contributing information towards the probable cause.

e. When hearsay information of an undisclosed confidential informant is relied upon to establish probable cause, that information must be independently corroborated (i.e., information demonstrating past reliability of the informant or by personal observation and corroboration).
f. An ongoing chronological record will be maintained of each informant’s activities and reliability by those divisions issuing evidence/informant funds. This file is to be reviewed by a supervisor prior to requesting a search warrant based on an informant’s reliability. Members will comply with DIRs 660.00 and 660.32.

Search Warrant Checklist (652.00)
A search warrant checklist has been adopted by the Bureau, the Multnomah County District Attorney’s Office and Multnomah County court magistrates.
This checklist is available on the Bureau’s Intranet. Included on the checklist is a section indicating the investigator has conducted a check through Oregon State Intelligence Network (OSIN) to ensure that the warrant address is not currently the subject of an investigation by another agency and/or division.
The check is mandatory, and will be done prior to the issuance of any search warrant. This form will be used for all Multnomah County search warrants obtained by the Bureau. Members should follow warrant application and return procedures for other counties as instructed by local magistrates.
A supervisor should review the probable cause, informant reliability, and the search warrant affidavit prior to its submission to the DA’s office. A deputy district attorney (DDA), from the appropriate county, will review every search warrant affidavit in person, by telephone or by email.
A copy of the search warrant and the original affidavit will be left with the issuing magistrate. Search warrants will be served as soon as possible. Extended delay of service is to be avoided.

Threat Assessment and Planning (652.00)
All search warrant executions involving a potential threat to members or citizens require a Planned Operations Risk Assessment form be completed prior to execution. This form is available on the Bureau’s Intranet.
Examples of a threat might include, but not be limited to, violent suspects, animals, obstacles causing a delay to securing the search location, or even a lack of information about the location to be searched.
The supervisor responsible for the search warrant execution is responsible for the proper completion of the risk assessment form and any other necessary planning to ensure the safe and effective service of the warrant. The supervisor will ensure that the SERT commander, or designee, will be consulted, as required by the completed Planned Operations Risk Assessment form. This will assist the evaluation for need of SERT and/or HNT in the execution of the warrant.
If SERT/HNT are needed or requested, the SERT commander, or designee, will coordinate with HNT and the originating division/unit commander or designee, to ensure all tactical considerations have been discussed. The original completed risk
assessment form, if not forwarded to SERT as a request for their services, will be retained in the investigator’s case file.

Execution of the Warrant (652.00)

a. Only a police officer may serve a search warrant. Generally, execution of a search warrant is restricted to between 0700 and 2200 hours unless it is otherwise endorsed on the warrant by the issuing magistrate.

b. A warrant is generally valid for five days after the date of its issuance. If the warrant is not executed within this period, it is void. A new affidavit must be filed and new search warrant issued. The issuing magistrate may, however, authorize execution of the warrant for up to ten days after its issuance. This authorization must be specified on the face of the warrant. Before entering any premises, the executing member will knock and give appropriate notice of identity, authority and purpose to the person to be searched or to the person in apparent control of the premises to be searched. If the member is not admitted after such notification, force may be used to enter the premises. In emergency situations, a no-knock entry may be performed (i.e., where members or others are at risk of bodily harm or where evidence may be destroyed). If such entry occurs, the circumstances leading to the entry will be clearly articulated in the incident report form. If it is determined that no one is at the residence, members have the authority to forcibly enter (see DIR 631.60). Before undertaking any search or seizure pursuant to the warrant, the executing member will:

1. Read and give a copy of the warrant (not the affidavit) to the person to be searched, or to the person in apparent control of the premises to be searched.

2. Affix a copy of the warrant to the premises if the premises are unoccupied, or there is no one in apparent control.

c. In the course of executing a search warrant, the member may take reasonable precautions to ensure that property will not be removed while the search is being conducted and to prevent interference with the search. Members have the same power and authority in all respects to break open any door or window and to use all necessary and proper means to overcome any forcible resistance as they do in executing or serving a warrant of arrest. In securing the premises to be searched, the member may seek out all persons on the premises and bring them to a central location for observation during the search.

d. Members of the media will not be allowed to enter private property without the consent of the property owner or individual in charge of the involved property.
Limitations of Warrants (652.00)

a. The scope of searches pursuant to search warrants is limited to the premises specified in the warrant and only for those items specified in the warrant to be seized.
   1. The search must be terminated once all items specified in the warrant are discovered.
   2. If during execution of a warrant, there is inadvertent discovery of evidence not specified in the warrant (even when the evidence is of an unrelated crime), it may be seized under the plain view exception.
   3. Unless the warrant(s) authorize the search of a named person(s), a search warrant for a residence or other premises does not permit a search of all the persons present during the time of the search. If there is probable cause to believe that persons on the premises are carrying or concealing items which reasonably could be the objects of the search warrant, those persons may be detained and searched to the extent necessary to determine whether they are concealing items covered by the warrant.

b. A member may remain on the premises in a search warrant only during the time reasonably necessary to conduct the search for the property described in the warrant.

Post Execution Responsibilities (652.00)

Upon execution of the search warrant, the member will:

a. Leave a copy of the warrant and property receipt(s) specifying, in detail, the property taken. This copy will be left with the person from whom the property was taken, or in whose possession the property is found. In the absence of any person, the copy of the warrant/receipt(s) will be left in the place where the property was found.

b. Secure the location if the owner or other responsible party is unavailable.

c. File all affidavits, search warrants and returns, regardless of any associated cases, with the Circuit Court issuing judge. Members will file the search warrant return and receipts as soon as reasonably possible, but no later than five days, after the execution or expiration of the warrant.

d. Following execution of a search warrant which involves the distribution or manufacture of controlled substances, prostitution and/or gambling, members will complete a Drugs and Vice Division (DVD) Completed Activity Report and forward the form to DVD. The information may be used to take action against the property owner under the specified crime property ordinance.
Telephonic Search Warrant Guide (652.00)

a. Preparation:
   1. Assemble notes, outline or handwritten affidavit (for dictation).
   2. Type or hand write the search warrant.
   3. Discuss with the DDA, if appropriate.
   4. Locate the judge.
   5. Discuss briefly with the judge to resolve any questions.

b. Turn on recorder; remember, what you told the judge before the recording starts does not count, so start over at the very beginning.

c. Preface phrase:
   1. Affiant’s name.
   2. Date and time.
   3. Telephonic warrant.
   4. Judge’s name and authority.
   5. Note that this is a recording.
   6. Example: This is Officer (Name) presenting a telephonic affidavit for a search warrant on (Date) at (Time). This request is being made to Judge (Name), of the Circuit Court, Multnomah County, State of Oregon, and is being tape recorded for later transcription.

d. Affiant identification phrase:
   1. Name.
   2. Oath (Upon my oath, I (Name), do hereby depose and say…).
   3. Employer, assignment, length of service.

e. Factual information – body of affidavit; organize your dictation to cover all critical areas including:
   1. Informant credibility and reliability.
   2. Observations of informant.
   3. Location of place to be searched, property to be seized, identity of resident.
   4. Corroboration, if available.
   5. Venue (judge must be from court where search is to be done).

f. Request permission to search (Standard Request for Warrant).

g. Have judge administer oath.

h. Read typed or handwritten search warrant to judge. Judge must hand write or type original warrant.

i. Obtain permission to search.

j. Obtain permission to sign judge’s name to duplicate warrant.

k. Have judge declare that the judge is signing the original search warrant.

l. Note time and date of authorization; end tape. Make sure the judge writes the time and date on the original warrant.
Return of a Telephonic Search Warrant (652.00)

a. Search warrant:
   1. Present to the issuing judge the duplicate warrant that was prepared and signed by you within the date specified on the warrant (normally five days from the date of issue). Remember this should be the actual duplicate of the original warrant that the judge authorized you to sign over the phone, even if handwritten.
   2. Make sure the judge has the original warrant that the judge prepared and signed.
   3. Both should be filed with the court. Normally the judge will handle this.

b. Tape and transcription:
   1. Present both the tape and transcription to the judge at the same time duplicate warrant is returned.
   2. After the judge listens to the tape and reviews the transcription for accuracy, have the judge certify both the tape and the transcription.
   3. Both the tape and the transcription should be filed with the court. Normally the judge will handle this.

660.10 PROPERTY AND EVIDENCE PROCEDURE

Index: Title; Sexual Assault Evidence Kits; Rape Kit Evidence; IBIS
Refer: ORS 133.033 Peace Officer; Community Caretaking Functions
       ORS 475.235 Presumptive Testing of Controlled Substances
       DIR 640.13 Drug Lab Procedure
       DIR 640.20 Sexual Assault Investigations
       DIR 660.31 Release of Evidence Money
       DIR 740.00 Explosive Device Incidents and EDU
       DIR 761.00 Hazardous Materials Incidents
       DIR 1051.00 Taser, Less Lethal Weapon System
       DIR 1060.00 Weapons Disposition and Disposal
       Evidence Transfer Form (PED)
       Firearm Operability Check Special Report (Training)
       Forensic Sciences Request Form (OSP)
       Fraud Supplemental Report (Detectives)
       Officer Disposition Report/Trace Form (PED)
       Order for Property Release Form (PED)
       Property/Evidence Receipt (PED)

PROCEDURE (660.10)

Directive Specific Definitions

   Evidence: An article(s) taken into police custody that may furnish proof that an
offense has been committed and/or certain person(s) committed an offense.

Precinct satellite property room: An area at each precinct set aside for the temporary storage of evidence and property.

Safekeeping property: An article(s) that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS 133.033, Peace Officer; Community Caretaking Functions.

**Receipting Property and Evidence (660.10)**

a. Any member who takes possession of property and/or evidence will complete a Property/Evidence Receipt (PED receipt).

b. All information will be written in the appropriate spaces on the form. The following information is required:
   1. Date and time.
   2. Type of property.
   3. Type of incident.
   4. Delivering member’s name and DPSST number (I.D.).
   5. Investigating member’s name and I.D. (if applicable).
   6. Defendant or suspect’s name for prisoner’s property.
   7. For safekeeping property:
      a) Owner’s name.
      b) Owner’s address and zip code.
   8. A full description of each item submitted including serial numbers.
      a) Firearms require listing the serial number, make, action, caliber and country of origin.
      b) Worthless documents may be listed using the document number from the Fraud Supplemental Report as the item description.
   9. Delivery destination (i.e., property room, crime lab, Forensic Evidence Division (Forensics), other - describe), include locker location and number.
   10. Case number.

c. Copies of the PED receipt will be handled as follows:
   1. White copy is forwarded to the Records Division (Records) with the appropriate report.
   2. Yellow copy is given to the person the property or evidence was taken from. If no one is available, the yellow copy will be left at the scene.
   3. Pink copy will accompany the property/evidence.
      a) Precinct satellite property rooms, leave in designated tray.
      b) Crime lab or the Detective’s video box. The pink copy will be attached to the property/evidence packaging.
      c) If property is released at the scene, an appropriate notation will be made on the PED receipt and the pink copy forwarded to PED.
d) Separate PED receipts and separate packaging will be used for items that are delivered to different locations.
e) All copies of voided PED receipts will be forwarded to PED.

Identifying Property and Evidence (660.10)
a. Money, narcotics, and firearms will be placed in separate evidence bags.
b. Evidence will be placed in a sealed evidence bag(s) whenever practical. Identifying information will be written on the bag, including PED receipt number, date, delivering member’s name and I.D., and contents (with PED receipt item number and description). Members will write initials, I.D., and date on the seal.
c. Items too large for an evidence bag will have a completed evidence tag attached. Information on the tag will include PED receipt number, date, member name and I.D., receipt item number and description. These items will have a section of evidence tape applied to an appropriate location on the item (i.e., closure of sack, bucket lid, zipper area). Members will write initials, I.D., and date across the tape area.
d. Damp or wet items will be packaged in paper sacks or plastic bags depending on the degree of wetness, with a property or evidence tag attached. The word Damp or Wet will be written prominently on the packaging and PED receipt. If the items are wet with body fluids, see section titled Processing Hazardous Items.
e. Found, safekeeping, or prisoner’s property will be placed in manila envelopes, paper sacks, or some other suitable container. A property tag will be attached and include the PED receipt number, type of property, date, member name and I.D., PED receipt item number, and description. If the item is too large to package, the tag will be attached to the property.
f. Tags will be affixed with sturdy tape or stapled to paper sacks. Nylon zip ties or string will not be used to affix tags.
g. Money, narcotics or other valuables, such as expensive jewelry, submitted as found, safekeeping, or prisoner property must be placed in sealed evidence bags.

Delivering Property and Evidence (660.10)
a. Members will deliver property/evidence to an appropriate location prior to the end of his/her shift.
b. Evidence delivered to a satellite property room will be left in a locked cabinet or locker whenever possible.
c. Evidence requiring fingerprinting will be delivered to Forensics before any other destination, unless DNA analysis is an option (see section e). Porous items such as paper and cardboard may be placed in plastic evi-
Non-porous items such as glass, cans, and firearms will be first placed in paper sacks, which will then be placed in plastic evidence bags if possible.

1. Drugs, drug paraphernalia and money may not be delivered to Forensics for fingerprinting, but the packaging these items are found in may be printed. If such packaging is to be printed, all contents (money/drugs) must be removed, placed in separate evidence packaging, and have a separate PED receipt with a notation referencing the transfer of the wrapping/container to another PED receipt.

2. Drug paraphernalia and drug packaging to be printed will be delivered to the dedicated Forensics lockers in Central Precinct’s satellite property room. If plastic evidence bags are used, a second seal must be made to seal off the vent holes. The PED receipt will be placed inside the locker with the evidence. The member must notify Forensics that evidence has been delivered to the locker, by FAX or delivering the PED receipt to Forensics.

d. Evidence needing crime lab analysis may be delivered as follows:
   1. For narcotics, see Processing Controlled Substances.
   2. All other evidence:
      a) Directly to PED during business hours with a completed Forensic Sciences Request Form and the pink copy of the PED Receipt. PED will transfer the evidence to the crime lab the next business day.
      b) To any satellite property room locker. A completed Forensic Sciences Request Form will be attached to the pink copy of the PED receipt which will be left in the tray. PED will transfer the evidence to the crime lab the next business day after retrieval from the satellite property room.
      c) Directly to the crime lab during their business hours with a completed Forensic Sciences Request Form and the pink copy of the PED Receipt.

3. During non-business hours, blood and urine samples must be left in the refrigerator at Central Precinct’s satellite property room.

4. Members will write their initials, DPSST #, and the date on all evidence bag seals. Other packaging will have a completed Evidence Tag attached and will be sealed with evidence tape that will be initialed, DPSST # applied and dated.

e. A PED call out is initiated through BOEC to notify PED staff during non-business hours of property/evidence exceeding $10,000, item(s) too large for a satellite property room or PED van, or samples of meth lab chemicals processed by DVD. The delivering member is responsible for transport of the property/evidence to PED.
POLICY AND PROCEDURE

Processing Controlled Substances (660.10)

Controlled substances, other than marijuana obtained from a grow operation, will be packaged in sealed evidence bags. Green marijuana will be packaged in paper sacks sealed with evidence tape. Each item of controlled substances will be weighed, including packaging. The weight will be recorded on the PED receipt. Processing and delivery of controlled substances will be as follows:

a. PCS submissions with testable amounts of heroin, cocaine, methamphetamine or marijuana will be field tested by members who have been trained and certified to conduct presumptive tests for these types of controlled substances. A Special Report recording the test results will be completed and included with the Custody Report. Members are not required to complete a Forensics Sciences Request Form for these PCS submissions.

b. PCS submissions for all other types of controlled substances, such as prescription pills, LSD or ecstasy will not be field tested. Also, PCS submissions for a residue amount, a liquid form or a bio-hazard contaminated item (including heroin, cocaine, methamphetamine or marijuana) will not be field tested. If Crime Lab analysis for these submissions is required, the DA’s Office will request PED to send the substance to the crime lab. Members are not required to complete a Forensics Sciences Request Form for these types of PCS submissions.

c. PCS submissions that result in a negative or inconclusive result when field tested will have a Forensics Sciences Request Form completed and attached to the pink copy of the PED Receipt. Members must write in the Incident field of the PED receipt “Negative Field Test - Please Test.” PED will transfer these submissions to the crime lab for analysis the next business day after being picked up from a satellite property room or received at PED.

d. DCS/MCS submissions will have a Forensics Sciences Request Form completed and attached to the pink copy of the PED Receipt. Members do not need to conduct a field test for these submissions unless the arrest is part of a special mission. The acronym DCS/MCS must be written in the Incident field of the PED Receipt. If crime lab analysis is required, the DA’s office will request PED to send the substance to the crime lab.

e. Narcotics submissions involved in Investigative buys will have a Forensics Sciences Request Form completed and attached to the pink copy of the PED Receipt. Members must write “Investigative Buy” in the incident field of the receipt. PED will deliver these submissions to the crime lab for analysis the next business day after being picked up from a satellite property room or received at PED.

f. Narcotics will be delivered as follows according to their street value.
   1. $1,000 or less - may be delivered to any satellite property room or to PED during business hours.
2. Over $1,000 to $10,000 - may be delivered to a drop safe at any satellite property room or to PED during business hours.
3. Over $10,000 - will be delivered directly to PED. After business hours, use a PED call-out. Note: If this amount requires crime lab testing, the delivering member will be required to return to PED during business hours to transport the narcotics to the crime lab.
g. No more than two different types of controlled substances, per arrested subject, may be submitted for analysis by the crime lab.

Processing Marijuana Grow Operations (660.10)
Drugs and Vice Division (DVD) is responsible for processing marijuana and related items associated with grow operations. Members discovering marijuana grow operations during DVD business hours will request a DVD team to respond. After business hours BOEC will contact the on-call DVD sergeant upon request. Members will note the name of the DVD supervisor contacted on the PED receipt and document the action in his/her report.

Processing Money (660.10)
a. Money will be counted by at least two members in the presence of one another. The names of the two members will be noted in the appropriate report.
b. The number of bills and/or coins of each denomination will be listed on the PED receipt along with the total amount.
c. PED will perform a separate count of money greater than $100. PED will document any discrepancy in a Special Report. A copy of the report will be sent to the delivering officer and the investigating member.
d. Money will be delivered as follows:
   1. $1,000 or less may be delivered to any precinct satellite property room or to PED during business hours.
   2. Over $1,000 to $10,000 will be delivered to a drop safe at any satellite property room or to PED during business hours.
   3. Over $10,000 will be delivered directly to PED. After business hours, use a PED call out.

Processing Firearms (660.10)
Firearms will be unloaded and rendered safe for handling. Actions on rifles, shotguns, and semi-automatic pistols will have the safety on and be secured in the open condition with tape, flexcuffs, or some other device. Revolvers will have the cylinders removed or taped/fastened open. If a firearm cannot be made safe by unloading, and securing the action/cylinder open, or if there is any question as to whether the firearm is loaded, the member will attach a red Unsafe Firearm tag to both the firearm, and to the outside of the locker in which the firearm is placed.
POLICY AND PROCEDURE

All ammunition will be removed from cylinders, chambers, and magazine wells. Ammunition and magazines will be packaged in a separate sealed bag from the firearm and identified on the PED receipt as a separate item from the firearm.

a. Firearms requiring fingerprinting and/or photographing will be delivered to Forensics prior to any other destination with:
   1. The action secured open.
   2. Secured in a paper sack sealed with evidence tape and initialed, I.D. applied, and dated by the delivering member.
   3. An evidence tag attached to the sack.
   4. The pink copy of the PED receipts accompanying the firearm.

b. All firearms not requiring Forensics processing will be delivered directly to PED or any satellite property room locker.

c. If the firearm was seized as misdemeanor evidence, the delivering member will perform a function check of the weapon and complete a Firearm Operability Check Special Report.

d. If felony test firing is required, a Forensic Sciences Request Form will be completed and attached to the pink copy of the PED receipt. PED will transfer the firearm to the Crime Lab for testing.

Processing for IBIS Classification (660.10)

The following firearms seized as evidence or found property will be submitted for IBIS classification:

a. All semi-automatic handguns and casings.

b. 7.62 x 39 rifles and casings (SKS and AK).

c. .223 Rem. (5.56 mm) rifles and casings.

d. All semi-automatic and pump action shotguns and shell casings.

For questions regarding whether or not a caliber qualifies for IBIS testing, members should call the crime lab for confirmation.

The IBIS examination of revolvers and expended bullets of any kind has been suspended. Safekeeping and Prisoner’s Property firearms will not be submitted for IBIS classification. All firearms will be properly secured and packaged prior to submission.

a. Members will place an orange IBIS sticker in the lower left corner of the PED receipt. Do not write on the sticker.

b. Complete and attach to the receipt a Forensics Sciences Request Form 49 (Form 49). If felony test firing is needed, the member will include that on the form.

c. Delivery will be made as follows:
   1. If fingerprinting is required, the item will first be delivered to Forensics. The pink copy of the PED receipt with the Form 49 attached will accompany the item. PED will transfer the item to the Crime Lab for IBIS processing after fingerprinting.
2. To any satellite property room locker. The pink copy of the receipt, with the Form 49 attached, will be placed in the tray in the satellite property room. PED will transfer the item to the Crime Lab for IBIS processing.

Processing Weapons Other than Firearms (660.10)

a. A photocopy or photo of evidence weapons (including ruler for measurement, if applicable) will be made and attached to the Investigation or Custody Report.

b. Fixed blade knives, swords, daggers, axes, etc., will have sharp edges and points covered to protect subsequent handlers. Use tape, paper, cardboard, or some other device to wrap the weapon to prevent injury.

c. Sheathed knives will be taped into their sheaths. Other knives such as switchblades, gravity knives, butterfly knives, and spring-loaded knives will be taped closed.

d. Weapons may be delivered to any satellite property room, Forensics, or PED during business hours.

Processing Hazardous Items (660.10)

a. Hazardous or noxious materials are substances considered dangerous to health by exposure and will not be accepted or stored in any PED facility, except evidence samples collected by DVD at scenes of illegal drug labs. See DIR 640.13, Drug Lab Procedure. Members encountering hazardous or noxious materials that are not part of an illegal drug lab will contact BOEC to notify the Portland Fire Bureau Hazardous Materials Team (HazMat) per DIR 761.00 Hazardous Material Incidents.

b. DVD personnel will place the evidence sample(s) in a bucket, partially filled with absorbent material, in a non-contaminated area. The bucket lid will be sealed with duct tape and evidence tape that is initialed, I.D. applied and dated by the delivering member. An evidence tag will be attached to the bucket.

1. DVD personnel will issue PED receipts and completed Forensic Sciences Request forms for all samples taken. Samples and forms will be delivered to the crime lab during business hours and to PED during non-business hours by using the call-out procedure.

2. No other contaminated articles, including paperwork, from the scenes of illegal drug labs will be accepted or stored at any property/evidence facility or transported in any Bureau vehicle, except contaminated firearms that will be processed as follows:

a) Once rendered safe, the firearm(s) will be taken to a non-contaminated area, over-packed and taped airtight inside plastic wrapping. The packaging will be clearly marked with the words
Contaminated Firearm. The PED receipt will have the notation Contaminated Firearm(s).

b) These firearms will not be available for further investigation or viewing purposes unless handled by DVD personnel wearing the same level of protective gear that was worn during the initial processing.

c. Bio-hazardous articles are items that have been contaminated with blood or other body fluids.
   1. Items wet with body fluids will not be placed in evidence bags. They will be placed in paper sacks and/or plastic biohazard bags. Biohazard stickers will be placed on the packaging or it will be clearly marked with the words, Bloody or Biohazard.
   2. Items that are wet with blood or other body fluids will be delivered directly to PED during business hours, and to the biohazard shed at the Rivergate Vehicle Storage Facility (Rivergate Facility) after business hours. The pink copy of the PED receipt will be left in the tray in the office. Such items will not be left at any other property/evidence facility.
   3. Items contaminated with blood or other body fluids that are dry may be processed as any other property or evidence except that they will be covered with protective packaging bearing biohazard stickers or the words Bloody or Biohazard.

d. Syringes must be handled with extreme care as they present a serious health risk. Members are urged to discard all syringes except those absolutely necessary for prosecution purposes.
   1. Unneeded syringes will be discarded into approved sharps containers only.
   2. The crime lab will not accept syringes or parts of syringes unless prior instructions from a Deputy District Attorney (DDA) have been received.
   3. Syringes submitted as evidence will be placed inside plastic syringe holders. The crime lab and PED will accept syringes only packaged in plastic syringe holders.

e. Explosives, bomb making materials, ammunition 50 caliber or larger and commercial size fireworks will not be accepted or stored at any PED facility. Refer to DIR 740.00, Bomb Threat/Post Blast Procedures, EDU.

f. Illegal fireworks that fill less than a regular-sized paper grocery sack may be placed in any PED facility.
   1. Larger quantities will be placed in the orange wooden box adjacent to the bomb room on L-1 in the Justice Center. If that box is full, contact EDU via the Dispatch Coordinator (DC) for instructions. The pink copy of the PED receipt will be forwarded to PED.
2. Less than a dozen M-80 size devices may be placed in any property/evidence facility. Larger quantities and any device more powerful, require special handling. Contact EDU via the DC for instructions.

3. Improvised, homemade, or modified fireworks will not be accepted or stored in any property/evidence facility. Contact EDU via the DC for instructions.

g. Gasoline will not be accepted or stored at any property/evidence facility.

1. Fuel containers and small engines with gas tanks, (i.e., lawn mowers, chain saws, generators, etc.) will be emptied prior to delivery. They may be taken to the Rivergate Facility where there is equipment to empty the gasoline into cans kept there for this purpose.

2. Empty fuel containers and small engines with empty gas tanks may be delivered to any property/evidence facility. They will not be left at the Rivergate Facility.

3. If the fuel is required as evidence, members will place a sample of it into a sealed vial or jar and process it for the crime lab using a separate PED receipt and Forensics Sciences Request Form. The remainder of the fuel will be disposed of as outlined above.

h. Stun guns are dangerous devices. Members will remove the battery from the device prior to delivery.

i. Mace and pepper spray canisters will be rolled up inside an evidence bag then placed inside a second evidence bag that will be sealed at both ends.

j. Propane tanks and canisters may be left at any property/evidence facility.

k. Deployed Taser probes will be reinserted, point down, into the discharged air cartridge and covered with tape before being placed into evidence bags. If the probes were removed from a person, a biohazard sticker will be placed on the evidence bag.

Processing Sexual Assault Evidence (660.10)
See DIR 640.20, Sexual Assault Investigations. No items other than the Sexual Assault Evidence Kit and the victim’s undergarments and/or pantyhose will be left in the OHSU locker.

Processing Found Property (660.10)
Found property is an article(s) accepted into police custody that has been lost or abandoned and not connected with a known or suspected criminal offense.

a. Members are encouraged to determine ownership of found property and return it, if time and circumstances permit. Identified owners’ names will be written on the PED receipt. Mark the PED receipt with the words Re-
turned to Owner and have the recipient sign the face of the receipt. The pink copy will then be forwarded to PED.

b. When found property is received from a finder, the finder’s name will be placed in the space marked Property Taken From and the finder will be given the yellow copy of the PED receipt.
   1. Finders wishing to make a finder’s claim for the property will be instructed to contact PED within five days.
   2. The words Finder’s Claim will be written boldly across the face of the PED receipt. Failure to take this step may result in the disposal of the property.

c. Found property may be delivered to any property/evidence facility.

d. Small pieces of found property, properly packaged and tagged, may be forwarded to PED via inter-office mail along with the pink copy of the PED receipt. Exceptions are weapons, money, items of significant value, narcotics, wet items, or large items. Evidence, safekeeping, or prisoner’s property will not be sent via inter-office mail.

e. Citizens turning in or requesting the pick-up of a found bicycle will be encouraged to take the bicycle to the nearest precinct for processing.

f. In cases of disputed ownership or where ownership is unclear, PED will not determine ownership. Inquiring persons will be referred to the delivering officer or investigator who will forward an Order for Property Release Form naming the person to whom the property may be released, as appropriate. Never issue two PED receipts for the same item. Members may release property to a claimant only when there is no conflicting claim, and the sole claimant establishes identity and ownership beyond a reasonable doubt. If there are conflicting claims that make it impossible for a member to determine ownership, the member will contact the City Attorney’s Office for instructions.

**Processing Safekeeping Property (660.10)**

The Bureau recognizes that members are often called upon to exercise discretion in their peacekeeping mission by taking property into custody for the purpose of maintaining the peace or for maintaining the safety of the property. Property may be presented to members voluntarily, with an owner’s consent, or taken without an owner’s consent under the provisions of ORS 133.033, Peace Officer; Community Caretaking Functions.

a. When property is obtained for safekeeping purposes, the member will leave the yellow copy of the PED receipt with the person from whom the property was obtained.

b. Safekeeping property will be released to the named owner upon demand after the property has been received at PED, usually one working day after turn-in.
POLICY AND PROCEDURE

Processing Prisoner’s Property (660.10)
Personal property belonging to arrested subjects or unavailable suspects that are not needed as evidence may be taken into police custody as prisoner’s property.

a. The yellow copy will be given to the arrested subject prior to incarceration. This is the only notification he/she will receive and must be maintained on their person or with his/her personal property left at the jail, as appropriate. Disposition of the yellow copy will be documented in the appropriate report. In the case of an unavailable suspect, the yellow copy will be left at the scene.

b. Prisoner’s property may be delivered to any property/evidence facility. Prisoner’s property will be released to the named defendant/suspect upon demand after the property has been received at PED, usually one working day after turn-in.

Checking Out Evidence (660.10)

a. Members intending to check out evidence will inform PED in advance whenever possible.

b. Members will maintain the chain of custody by signing and dating a Property Check Out Form provided by PED.

c. If the possibility exists that a member may turn over custody of the evidence to the court, a prosecutor, another agency, or another member, the member will be provided with an Evidence Transfer Form to be used to maintain the chain of custody. The member will obtain the signature of the person to whom custody was relinquished and ensure that the signed copy is returned to PED.

d. Upon the check-in of evidence, the member will maintain the chain of custody by signing and dating the Check Out Form. If the member returns the evidence via a satellite property room, the member will sign and date the Evidence Transfer Form indicating when and where the evidence was left.

Transferring Evidence (660.10)

a. Members may request that evidence be transferred to the crime lab for analysis by submitting a Forensic Sciences Request Form to PED. PED will deliver the evidence on the next scheduled crime lab trip.

b. Members may request that evidence be transferred to Forensics for processing. It is the member’s responsibility to inform Forensics of the reason for the transfer.

c. Any other requests for transfer of evidence must be in writing and signed by a sworn member.
Releasing Property and Evidence (660.10)

a. Found property belonging to an undisputed owner, safekeeping property for a named owner, and prisoner’s property for a named defendant/suspect will be released upon demand with satisfactory identification.

b. In cases where ownership is unknown or in dispute, inquiring persons will be referred to the delivering officer to obtain written authorization to claim the property.

c. Evidence will be released to an owner when the item(s) is no longer needed as evidence and has been released by a sworn member. Sworn members will complete an Order for Property Release Form and forward it to PED.

d. The Multnomah County District Attorney’s Office (MCDA) encourages the pretrial release of evidence to victims whenever possible. Photographing and releasing evidence enables victims to use their property, and reduces congestion in PED.

1. The types of property/evidence that may be photographed and released includes, but is not limited to, home appliances, home and automotive entertainment devices (TV, stereos, tape/CD/DVD players, etc.), perishable items, household furniture, and bicycles.

2. Items that will not be photographed and released include physical evidence in a murder case, weapons, contraband, controlled substances, physical evidence of a crime (i.e., broken doors and windows, pried open cash registers, items with identifiable prints, etc.), implements used to commit the crime, and evidence whose function, value, or importance in the case can only be understood by their use in court (i.e., the item must be handled and closely inspected to convey its evidentiary importance).

3. When photographing property to be released, both the victim and the item should appear in the photograph. When possible the victim should sign and date the photograph. This allows for future recognition of the photograph as a true and accurate representation of the property.

4. The photograph(s) will be placed in an evidence bag and labeled Photograph(s). A PED receipt will be completed and submitted to PED as described above.

5. Any doubts regarding the photographing and release of property should be discussed with the member’s supervisor or the DDA handling the case.

6. When property is released, the owner should be advised that he/she might be requested to bring the property to court at a future time.

7. Evidence money in amounts less than $100 may be released in the form of cash at PED. Evidence money in amounts of $100 or more
will be released in the form of a check initiated by PED upon receipt of an authorized release form.

Disposition of Property and Evidence (660.10)

a. Unclaimed found property will be disposed of after 30 days of storage or after 60 days from the date of notice to the owner or finder.

b. Unclaimed safekeeping and prisoner’s property will be disposed of after 60 days of storage or after 60 days from the date of notice to the owner.

c. Unclaimed evidence, authorized for release, will be disposed of after 60 days from the date of notice to the owner.

d. Firearms, not eligible for release, will be disposed of in accordance with DIR 1060.00, Weapons, Dangerous and Deadly, Disposition and Disposal of.

e. Members are encouraged to give written authorization to PED to dispose of evidence anytime the member determines that it is no longer needed as evidence.

f. Officer Disposition Reports and Trace forms are sent by PED to members for evaluation of further retention and disposition of evidence. Upon receipt of either form, members will indicate the appropriate disposition of the evidence and return the form to PED within 30 days. Failure to return the Officer Disposition Report or Trace form within 30 days may result in the notification of the member’s RU manager for further action.

660.15 PAWNSHOP/SECONDHAND PROPERTY PROCEDURES

Index: Title; Secondhand Store Property Procedure; Property, Pawnshop

Refer: City Ordinance 14B.90. Application for Permit, Secondhand Dealers

PROCEDURE (660.15)

When property located at a Pawnshop or licensed Secondhand Dealer is believed to be lost or stolen or evidence of any crime, members may place a police hold on such property and initiate an inquiry as follows:

a. If the property has not been reported lost or stolen or as evidence of any crime and investigation reveals it is, initiate an investigation report. A copy of this report will be directed to Special Property Investigations (SPI).

b. Notify the place of business that a 30 day police hold is being placed on the property and that they should follow the procedures described in City Ordinance 14B.90 (Secondhand Dealers).

c. If the property has already been reported as lost or stolen or as evidence of any crime, a Special Report justifying the police hold will be written for inclusion with the case file in the Records Division (Records). A copy
of this report will be directed to SPI. The police hold will remain in effect for 30 days unless the property is released, the verbal hold renewed, placed on Formal Hold or seized by SPI.

d. If the place of business is not open during the member’s working hours, a police hold may be accomplished by directing a request to SPI.

Members, other than SPI members or those authorized by SPI, will not remove suspect property from a Pawnshop or licensed Secondhand Dealer, nor will they return the property to the alleged owner. Property removed from a Pawnshop or licensed Secondhand Dealer will be documented on a Property/Evidence Receipt and handled according to existing Bureau guidelines.

Citizen inquiries will be referred to SPI. Outside agencies that need to place police holds on property located at a Pawnshop or licensed Secondhand Dealer will be referred to SPI for assistance. Members should advise the agency placing the police hold that they will be expected to provide SPI with a copy of the police report regarding the loss/theft and any suspect information.

Formal holds and property seizures from a Pawnshop or licensed Secondhand Dealer will only be conducted after SPI has received a copy of the police report regarding the loss/theft and any suspect information regarding the crime for which the property is believed to be evidence.

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**660.20 UNCLAIMED AND SURPLUS PROPERTY**

**Index:** Title; Property, Unclaimed and Surplus; Surplus Property, Unclaimed Property

**Refer:**
- City Code Section 5.36.011 Donation of Surplus Property
- City Code Section 5.36.015 Disposition of Unclaimed Property
- Hold Harmless Agreement (Property Evidence Division (PED))
- Letter of Donation (PED)
- Request for Transfer of Unclaimed Property Form (PED)

**POLICY (660.20)**

City Code 5.36.015 allows for unclaimed property to be designated as surplus property that may be disposed of by the City Bureau that owns it. This allows the Police Bureau access to unclaimed property items. It is the policy of the Portland Police Bureau to obtain unclaimed surplus property for official use only. City Code 5.36.010 allows the Police Bureau to transfer surplus property to another City Bureau upon written request from the Director of the Bureau that has a use for the property.

**PROCEDURE (660.20)**

**Request for Unclaimed Property**

When an RU manager has an official need for an item of unclaimed property,
the manager shall request the item by completing the Request for Transfer of Unclaimed Property form. This form along with an inter-office memo justifying the need will be routed through channels.

Any property sold in undercover operations must be documented. The monies received will be forwarded to the City Treasurer through Fiscal within one working day, or as soon as practicable after the sale is made.

The Property Evidence Division (PED) will not be open to members to inspect the inventory of unclaimed property in order to select desired items. PED will maintain a list of requests for transfer of unclaimed property. Selection of items will be at the discretion of the PED manager or designee.

Requests for Donating Surplus Property (660.20)

City Code 5.36.010 allows the Police Bureau to donate surplus property to the State of Oregon Surplus Property Program, other public agencies, or to certified charitable organizations. City Code 5.36.010 provides specific rules and procedures that must be followed when donations are made. Unless otherwise determined by the Chief of Police, it shall be the policy of the Portland Police Bureau to donate items that are law enforcement related only to another law enforcement agency. A letter requesting the donation shall be prepared for the signature of the Chief of Police and addressed to, delivered to and signed by the Commissioner-in-Charge.

Bureau owned animals that are considered surplus and of no value to the City due to age and/or condition of the animal may be donated to individuals with approval of the Commissioner-In-Charge of the Police Bureau and the City Council, by ordinance.

660.30 EVIDENCE FUNDS USE

Index: Title; Informant Funds
Refer: DIR 650.00 Search, Seizure and Inventories
      DIR 652.00 Search Warrants
      DIR 660.10 Property and Evidence Procedure
      DIR 660.32 Agent/Informant Processing
      DIR 660.33 Informants
      DIR 1250.00 Use of Bureau Equipment
      Bureau, RU and Member Responsibility
      EFAR Witness Report (DVD)
      Evidence Fund Accounting Receipt (EFAR) (DVD)
      Evidence Fund Expense Report (EFER) (DVD)
      Evidence Fund Withdrawal Form (Fiscal)
      Loan Receipt (DVD)
      Sample Master Balance Ledger Page (DVD)
      Summarization of RU Evidence Funds Accounting (DVD)
POLICY AND PROCEDURE

POLICY (660.30)

The member/investigator is the primary user for all evidence funds available in the Bureau. As such, the member/investigator must maintain strict integrity in accounting for evidence funds (monies used to obtain evidence and/or information in the investigation of a crime). Ongoing consistent supervision of members and agent/informants (an individual working for a member in an undercover status) who disburse, use or receive evidence and informant funds is the critical factor in ensuring integrity and accountability. Supervision and responsibility begin at the member/investigator level, and continue throughout the chain of command.

a. Funds may be used for the following purposes:
   1. Paying agents/informants for information.
   2. Purchasing items that will be used as evidence, develop suspects, further an investigation or lead to an arrest.
   3. Out-of-pocket, job-related expenses incurred when conducting an investigation.
   4. Out-of-town investigations that will not be reimbursed by the state or the District Attorney’s (DA’s) office.
   5. Rental of a vehicle or other equipment for a limited period of time (see DIR 1250.00 for guidelines).

b. Funds may be used for the following only with approval from a RU manager.
   1. Disbursement to an informant or undercover operative in the form of a monthly retainer.
   2. Purchase of legitimate property on the open market for resale in furtherance of an investigation.
   3. Procurement of evidence, information, or recovery of property from crimes committed in other jurisdictions.
   4. Sending members to schools or seminars when reimbursement is fully expected. Authorization will be strictly limited.
   5. Provide lodging, meals, and/or travel expenses for victims or witnesses if the cost will not be reimbursed by city, state or other sources. (The victim or witness must be needed to further an investigation, or his/her safety must be in immediate jeopardy because of assistance to the Bureau, which makes it necessary to provide temporary support pending disposition of the investigation.)

c. Funds may not be used for:
   1. Purchasing miscellaneous equipment for an RU or members even though the intent is to use it for an investigation.
   2. Travel and living expenses not directly related to a case under investigation.
PROCEDURE (660.30)

Obtaining Evidence Funds (RU Level)

a. RU managers (or designees) are authorized to make evidence fund draws against City Evidence and Information Funds and/or other funds which may become available from federal, state, or other sources.

b. Actual cash fund draws will be made through the Fiscal Services (Fiscal). These draws require authorization from the Chief of Police or applicable Branch chief.

c. RUs not having evidence funds available may receive funds from another RU (as outlined in Disbursal of Funds).

Funds: Security & Access (660.30)

a. All funds will be secured in a cash box within the locked RU safe. A separate cash box will be used for each fund if there is more than one source available.

b. Access will be controlled by the RU manager who may designate key members who are authorized to issue and turn in funds. These individuals will also have access to the Agent/Informant Moniker file. A current list of key members will be maintained by each RU in their administrative files.

c. Safe combinations will be changed when the RU manager or key members are transferred from the RU.

d. Expenditures will be authorized by the RU manager or designee before funds are distributed. The funds are to be used for criminal investigation with expenditures verified by documentation, receipts (where possible), and monthly Evidence Fund Expense Reports (EFERs).

Disbursal of Funds (660.30)

a. A supervisor assigned to or responsible for the RU considering disbursal of funds will review the request for funds prior to disbursal using the following criteria:
   1. Proposed use of the funds.
   2. Reliability/effectiveness of informant (if one is involved).
   3. Legality of the operation (basis for search warrant, evidence buy, etc.).
   4. Amount of funds requested.
   5. Projected return on investment.
   6. If various funds exist, which fund will be used, and if the request fits the use criteria for that fund.

b. Master Balance Ledger.
   1. A bound ledger book used to record all information and transactions relating to a single fund.
2. Used to record all information related to draws, returns, issued funds, dates and purposes. Columns will be set up from left to right in the following manner:
   a) Item #1 (Date) Date of transaction.
   b) Item #2 (Name/Purpose).
      1) Printed full name and I.D. of member receiving funds, returning funds, or adding a draw from Fiscal to the fund.
      2) Printed brief summary of how funds are to be used. Case numbers and agent/informant numbers are to be included when appropriate.
      3) Signature and I.D. of member receiving funds, returning funds or adding a draw to the fund.
      4) Rank, signature, I.D. of supervisor reviewing the disbursal or return.
   c) Item #3 (Credits): Dollar amounts of draws from Fiscal or returns (added to the fund).
   d) Item #4 (Debits): Dollar amounts of funds issued to a member (subtracted from the fund).
   e) Item #5 (Balance): The fund balance after the transaction.
3. Before a member signs for receipt of funds, both the member and the issuer are responsible for ensuring all information regarding the transaction is correct and the transaction is properly recorded in the member’s EFER.
4. Entries will be made in ink in chronological order. The Master Balance Ledger will be balanced and closed the first day of the month.
5. When funds are used for schools/seminars and reimbursement is expected in a different calendar month, an entry will be made indicating the funds are accounted for on the member’s EFER as carryover until the funds are reimbursed.
6. The ending balance from the prior month will be reconciled. The balance will be moved to the top of a new page and used as the beginning balance for the new month (except when starting or ending a Master Balance Ledger where starting or ending balance will be zero).

1. An EFER will be maintained by each member/investigator who uses evidence funds.
   a) The EFER is used to account for all funds used by the member/investigator in a calendar month.
      1) Unused funds will be returned prior to the end of the calendar month in which the funds were drawn.
      2) Funds being used in an investigation or that will be returned by another person or agency after the end of the month may be
shown as carryover on the member’s EFER each month until turned in. An RU manager may make other exceptions regarding carryover funds, as necessary.

3) In the event of a carryover, an explanatory inter-office memo will be written to the RU manager and attached to the monthly EFER.

4) Carryover of funds into a new month is to be strictly limited.

b) All entries will be done in ink.

2. Information included on the EFER:
   a) Date of draw/expenditure.
   b) Case number, where applicable.
   c) Location/Property Receipt number - location of transaction, (i.e., office in the case of a draw, street address in the case of a payment; and Property Receipt number when applicable).
   d) Transaction Description.
      1) Draw/payment/return information - informant number, EFAR (report, in triplicate, used for detailing informant payments) number, reason for expenditure, etc.
      2) Supervisor’s signature and I.D. for all draws/returns to the fund.
   e) Credit: Monies added to the member’s balance (amount drawn from evidence fund).
   f) Debit: Monies subtracted from member’s balance (monies spent by member).
   g) Balance forward: Member’s balance after the transaction.

3. The white copy of the EFER (with the pink copy of all pertinent EFARs and the EFAR Witness Form) will be turned over to the supervisor by the end of each calendar month. The yellow copy is for the member/investigator’s records and will be kept for three years.

d. Evidence Fund Accounting Receipts.
   1. Members, regardless of RU, will use an EFAR for recording agent/informant transactions.
      a) All applicable sections of the receipt will be completed.
      b) All agents/informants receiving evidence fund monies will sign the EFAR using their moniker.
   2. A minimum of 60% of all EFAR payments will be witnessed by another member, with at least 25% by a supervisor. A list of all EFARs will be compiled on an EFAR Witness Form.
   3. Payments over $250 will be witnessed by a supervisor (this does not include buy payments).
   4. Part 1 (the original white copy) is given to the member’s supervisor on the same day the funds are disbursed. This copy will be kept in the
agent/informant’s product/activity file.

5. Part 2 (the pink copy) will be retained by the member until the end of the month, and attached with the EFAR Witness Form to the monthly EFER as part of the required documentation.

6. Part 3 (the yellow copy) may be retained by the member for their files. In the event the member should no longer wish to keep the yellow copy, it will be destroyed by such means provided for the destruction of sensitive information.

e. EFAR Witness Form: Provides the member’s monthly total of EFARs and the percentage of EFARs witnessed. This completed form will be submitted by the member with the EFER.

f. Disbursal limitations.

1. Funds disbursal is limited to the following amounts unless a supervisor pre-approves exceeding the expenditure limit:
   a) A supervisory sergeant may approve up to $500.
   b) A lieutenant may approve up to $2,500.
   c) An RU manager may approve up to $5,000.
   d) Amounts over $5,000 must be approved by the appropriate Branch chief or the Chief of Police.

2. Flash-roll funds used as show money, with the expectation of full recovery and immediate return to the fund, may be authorized by an RU manager in an amount limited to $50,000. Use of the amounts over this limit must be approved by the appropriate Branch chief or the Chief of Police. Flash-roll amounts will always be returned to the RU safe prior to the end of the shift, unless prior approval has been obtained from a RU manager.

g. Issue of funds to other RUs: Funds may be disbursed to members of other RUs where evidence funds are not available, or outside agencies using the following criteria:

1. Members seeking funds must have approval from a supervisor regarding necessity and use of funds for an investigation.

2. If a supervisor agrees funds are necessary, the supervisor will contact the RU having available funds or responsibility for the crime/investigation, which is being pursued, and request the funds.

3. A supervisor of the disbursing RU will evaluate the request and disburse the funds within the guidelines of this directive and any applicable RU SOP.

4. Members of all units and outside agencies that receive funds will be required to account for those funds at the end of the month.

5. An EFER book will also be issued when funds are disbursed to a unit or outside agency that does not have evidence funds. The individual expending the evidence funds will be responsible for completing the
report, and returning it to the issuing RU by the end of the month or explain the carryover by memorandum.

6. All loans to RUs or outside agencies are to be strictly limited. All reimbursements and loans will be accompanied by the Loan Receipt Form. The RU or outside agency receiving the loan will be responsible for completing an EFER, and will include the Loan Receipt Form.

h. Unexpected return of funds.

1. When an unexpected return of funds occurs (i.e., from a defendant by court order, insurance company, other police agency, etc.) and the funds were written off in a prior month, the return will be treated as new funds, and processed as follows:
   a) A check will be made out to the City of Portland, Bureau of Police, with the name of the RU and the name of the evidence fund on the memo line.
   b) The member receiving the check will write an inter-office memo to the RU manager detailing who the check is from, amount, reason for return, case number(s), subject(s) involved in the case and any other pertinent information.
   c) Two copies of all documents will be obtained. The first copy set and the check will be delivered to Fiscal for deposit to the General Fund. The second copy set will be retained in the RU files.
   d) Exception: Funds expended on an investigation that will be reimbursed by another agency (i.e., Regional Organized Crime Narcotics Task Force, or ROCN) will be treated as an expected return and will go directly to the RU’s evidence fund. Example: ROCN agrees to fund up to $5,000 for a narcotic investigation that Drugs and Vice Division (DVD) is running. DVD expends money from their evidence fund for the case and then submits a bill to ROCN for reimbursement. The money from ROCN is then added to DVD’s evidence fund as an Expected Return. A memo is added to the monthly accounting packet detailing the transaction.

2. When an unexpected return of evidence funds occurs from an agent/informant who, for any reason, did not use the funds as directed, the member receiving the money will complete an inter-office memo detailing who the money is from, the amount, the reason for the return, case number(s) involved, subject(s) involved in the case, and any other pertinent information. Funds recovered from defendants will be processed as evidence. The memo and funds will be delivered to the RU accountant, who will add the money back to the evidence fund and record the return to the Credits column of the Master Balance Ledger. The RU accountant will also attach a copy of the inter-
office memorandum to the accounting packet behind the RU draw receipts.

Property and Evidence – Disposition and Handling (660.30)

a. Any property or evidence acquired with evidence funds will be processed through the Property/Evidence Division (PED) and/or Crime Lab, as appropriate (refer to DIR 660.10).

b. The Property/Evidence Receipt number(s), listing the item, will be noted on the member’s monthly EFER.

c. Evidence funds recovered during the course of an investigation will not be placed in the Property Room.
   1. Photocopies of the money, initialed and dated, will be placed in the Property Room as evidence.
   2. The actual evidence fund money will be returned to the appropriate fund.
   3. Any reports written will reflect the above listed information.

d. Property legitimately purchased with evidence funds for resale in furthering an investigation will be accounted for in the following manner:
   1. A RU will maintain an inventory listing each piece of property and the following information:
      a) Purchase date and price.
      b) Date sold and price received.
      c) Location of property.
      d) Name of defendant(s).
      e) Case number(s).
      f) Disposition of case(s) and property.
   2. The property must be secured in a locked facility in or near an RU, or may be temporarily placed in the Property Room.
   3. If the property is recovered and it may be resold again in continuance of an investigation, it will be returned to the inventory list.
   4. Should money other than the City’s Evidence Funds be used to purchase property, all restrictions or requirements that apply to that funding source will be considered before disposal of the property occurs.
   5. Property no longer necessary will be released to PED for disposal. If the property is sold, a City ordinance is required for the RU to recover the proceeds of the sale.

Responsibilities (660.30)

a. Members/investigators will:
   1. Familiarize themselves with all sections of this directive and DIR’s 660.32, 660.33, 650.00 and 652.00.
   2. Document all evidence fund draws and expenditures on the monthly
EFER.
3. Keep their supervisor constantly informed regarding use of funds and problems and/or results regarding funds.

b. Supervisory sergeants will:
1. Closely supervise assigned members to ensure the proper use of funds, completeness and correctness of EFARs (with Witness Form) and monthly EFERs (returned for correction if necessary), legality of operations, and informant productivity.
2. Ensure an explanatory memo is written to the RU manager detailing any extraordinary occurrence in evidence fund usage (i.e., carryovers, unexpected returns, corrections to prior months, etc.).
3. Sign and forward the completed monthly EFERs to the RU lieutenant.

c. Lieutenants will:
1. Review a sergeant’s supervision of assigned members to ensure proper use of funds, EFARs, EFAR Witness Forms, monthly EFERs and legality of operations.
2. After review/approval, forward the above forms to the RU accountant, on or before the 10th of the following month.
3. When filing EFARs (white copy), check signatures against the agent’s signature exemplar; immediately advise the RU manager of any questionable signatures.
4. Routinely review individual informant performance compared to payments received.

d. RU accountants will:
1. Balance the Master Balance Ledger monthly with the cash on hand in the safe. Immediately notify the RU manager if a discrepancy is discovered.
2. Balance the Master Balance Ledger in the following manner:
   a) On the first day of the new month, excluding holidays, close out and balance the Master Balance Ledger.
   b) Count the cash on hand. The total must agree with the total shown in the Balance column of the ledger.
   c) Enter the ending balance from the Balance column at the top of a new page as the beginning balance for the new month.
   d) Double check the ending balance accuracy by:
      1) Totaling the Credits column.
      2) Adding that total to the beginning balance shown at the first of the month being accounted for, to get a sub-total.
      3) Totaling the Debits column.
      4) Subtracting the total Debits amount from the sub-total. This amount will equal the ending balance.
5) Example:
   Beginning Balance $1,234.58
   Evidence Fund Draw (Fiscal) $5,000.00
   Unexpected Returns $0.00
   Returns $1,000.00
   Sub Total $7,234.58
   Issued Funds $1,500.00
   Ending Balance $5,734.58

6) When reconciled, sign with rank, name and I.D.
7) Should the ending balance or cash on hand not agree with the total shown in the Balance column:
   (a) Recount the cash on hand.
   (b) Check the mathematical accuracy of each ledger computation.
   (c) Check the data accuracy of each ledger entry.
8) If no balance can be reached, notify the RU manager immediately.

3. Upon receipt of the completed monthly EFERs, EFARs and EFAR Witness Forms from the lieutenant, check the reports for balance, documentation, completeness, and accuracy and obtain the appropriate information to complete the final evidence fund(s) accounting.
4. Complete the Evidence Funds Accounting Form to summarize information from the members’ monthly EFERs.
5. Prepare the accounting packet after completing the monthly accounting. The packet will include the following:
   a) Evidence Funds Accounting Form.
   b) Copies of all Draw Requests.
   c) Documentation of unexpected returns of funds that have been written off in prior months.
   d) Members’ monthly EFERs, in alphabetical order, with all required documentation attached (EFARs, EFAR Witness Forms, special explanations, etc.).
6. Submit the accounting packet to the RU manager no later than the 20th day of the following month.
7. File and maintain, by year and month, the returned accounting packet in a locked file cabinet for a minimum of five years.
8. Purge monthly summary packets, including forms and ledger, after five years.

f. RU managers will:
   1. Have overall responsibility for supervision of evidence fund activities and effectiveness of all assigned members.
   2. Request monthly draws from the City Evidence Fund (or other autho-
3. Ensure the Master Balance Ledger(s) is balanced monthly. This requires counting the cash on hand and checking the amount against the balance shown in the ledger. When reconciled, sign under the RU accountant’s signature with rank, name and I.D.

4. Ensure that periodic spot-checks of EFERs show total money draws and expenditures. EFER and cash on hand should match. Identify and ensure that key supervisory personnel verify spot-checks by marking their initials and date of spot-check in legible handwriting on the EFER.

5. Review all monthly EFERs to ensure proper documentation, accuracy and completeness, returning the report to a lieutenant for corrective action if required.

6. After determining the reports are correct, sign the accounting packet cover sheet and forward the packet to the respective Branch chief for review no later that the 25th day of the following month.

7. Should a discrepancy occur in the monthly balance of RU evidence funds, draft a memo to be included in the accounting packet that describes the problem and all actions taken to solve and/or correct the problem.

8. Ensure that the accounting packet, when returned, is filed by year and month in a locked file cabinet and retained for five years before it is purged.

9. May authorize use of evidence funds for schools/seminars, when reimbursement is fully expected.

Branch chiefs will:
1. Have the overall responsibility and accountability to the Chief of Police for evidence funds money expended by RUs assigned to their branch.

2. Review the Evidence Funds Accounting Packet of assigned RU to ensure funds have been properly expended and accounted for, resolving any problems or questions, if possible.

3. When satisfied that accounting packets are complete and accurate, sign the cover sheet of packets and return them to the appropriate RUs for filing.

4. Maintain a copy of the cover sheets within their files.

Investigations Branch chief will:
1. Arrange for a complete audit of all evidence funds at least once each year, in consultation with DVD. This audit will include pulling related investigative reports from the Records Division, and tracking these reports through the system. Audit results will be forwarded to the Chief of Police.
2. Arrange for random spot check/audit of funds at unscheduled times throughout the year, with special attention given to potential problem areas.
3. Ensure that DVD assists units/divisions with training of current and new key personnel in evidence fund procedures.

660.31 RELEASE OF EVIDENCE – MONEY

Index: Title
Refer: City Code 14C.20.040 Evidence Property
Order for Property Release Form (PED)

PROCEDURE (660.31)

Funds held as evidence will be released to the claimant upon disposition of the case, in accordance with the guidelines of the City Code, Chapter 14C.20.040.

When money is no longer needed as evidence, the member responsible for the case will complete the Order for Property Release form and forward it to the Property Evidence Division (PED). Money worth less than $100 or that has a value other than its face value (i.e., gold, silver and foreign coins) will be returned directly to the claimant through the regular PED release procedures. PED will advise the claimant of the release procedures and time frame involved.

The PED will deposit the funds of $100 or more directly into the City of Portland General Fund bank account. The Order for Property Release form will be forwarded to the Fiscal Services Division (Fiscal) for preparation of a Payment Authorization. Bank receipts for deposits will be sent to Fiscal. Under no circumstances will claimants be directed to Fiscal, City Accounts Payable, or the office of the City Auditor for payment of the refund. Fiscal will mail a warrant (check) to the claimant(s). Exceptions must go through PED.
AGENT/INFORMANT PROCESSING

The Drugs and Vice Division (DVD) has the responsibility for maintaining accurate information regarding the status of agent/informant’s used by the Bureau. The RU manager or designee will approve the agent/informant (individual working for a member in an undercover status) prior to use. Anyone working as an agent/informant for a member will be processed in the following manner before funds may be disbursed.

a. Informant File Checklist.
   1. Will be completed by the member processing the agent/informant prior to submitting the informant package to his/her supervisor for approval.
   2. The informant file will contain as a minimum:
      a) Agent/Informant Profile Sheet.
      b) Agent/Informant Moniker Exemplar.
      c) Informant Information/Background Report.
      d) Agent/Informant Liability Waiver.
      e) Informant Packet Checklist.
      f) CCH and PPDS printout.
   3. All forms will be filled out completely. If an item does not apply, indicate not applicable (N/A) in the appropriate place.
   4. The entire informant file will be maintained by the originating RU as an active file.
      a) When an informant has not been paid for a period of one year, the file will be designated as inactive.
      b) To maintain accurate informant status, when an informant is designated as inactive, the agent/informant’s file will be transferred
to DVD for inclusion in the master DVD inactive informant file.
c) The file will be maintained by DVD and subject to purging in ac-
cordance with state records retention laws, unless the informant is
re-activated by a member prior to the purge date.
d) Members may re-activate an informant by requesting a return of
the informant files from DVD and completing a new Informant
File Checklist with CCH and PPDS updates.
e) The immediate use and payment of an inactive informant is not
precluded as long as the informant file is retrieve from DVD and
updated during the calendar month in which the re-activation oc-
curs.
f) Inactive informant files will be purged after a period of five years.
See Refer section for OAR and City Code.
5. The informant file is accessible only to the RU manager or designees,
and supervisors when evidence funds are audited. RU managers may,
at their discretion, allow other persons to review the file (i.e., a judge
or deputy district attorney).

b. Agent/Informant Profile (Required).
1. Will be completed on each agent/informant who is receiving or using
evidence funds or is under the direction of a member actively work-
ing on a criminal investigation.
2. A code name will be assigned to the agent/informant by a member of
the rank of supervisory sergeant or above. The code name will be an
alias; true names will not be used. The code name will include full
first, middle and last names, and will be used in all record keeping
and receipt transactions involving the agent/informant.
3. The agent/informant must be present when the form is completed and
will be required to sign his/her true name, full code name, and affix
the right-hand, index fingerprint on the bottom of the form.
4. A current photograph and copies of the agent’s criminal history, if
any, will be attached to the form.
5. Reliable identification must be obtained in the event the Confidential
Reliable Informant (CRI), an individual who has established reliabil-
ity by working with members in developing criminal information or
evidence usually as an agent/informant, has no record.
c. Agent/Informant Liability Waiver (Required).
1. Must be read by the agent/informant, completed and signed. Each
item must be initialed by the agent/informant.
2. Is to be retained by the RU manager in a locked file cabinet, separate
from the Informant Moniker and Reliability form. Any changes in
information or documentation regarding an agent/informant will be
relayed to the RU manager immediately for accurate maintenance of
POLICY AND PROCEDURE

the form.

d. Agent/Informant Moniker and Reliability (Required).
   1. Will be completed on all agent/informants receiving or using evi-
dence funds.
   2. A supervisory sergeant or above will be responsible for completing
   the form and setting up the Agent/Informant Moniker and Productiv-
   ity File.
   3. The agent/informant must sign the exemplar section (three signa-
tures), which will be witnessed by another member.
   4. All documentation dealing with the agent/informant’s reliability will
   be maintained in this file. This includes Part I, the white copy of the
   Evidence Fund Accounting Receipt (EFAR), which contains infor-
   mation on the agent/informant’s reliability and productivity.
   5. RU managers, or his/her designee, are responsible for maintaining
   the file up-to-date, checking agent/informant signatures against ex-
emplars, and filing agent/informant receipts.
   6. Each time a supervisor checks the file; they will initial and date the
   Supervisor’s Review Section of the form.

e. Informant Information/Background Report (Required).
   1. Contains information useful in deciding whether or not to use the
   agent/informant, and should be completed in conjunction with the
   Agent/Informant Profile form.
   2. The agent/informant’s criminal history should be summarized on this
   form from a review of the CCH and PPDS printout.
   3. If an agent/informant has worked for other agencies in the past,
   contact the agency(s) and summarize the agent/informant’s perfor-
mance.
   4. Supervisors will indicate approval and route to the RU manager for
   final approval.

f. Moniker File: When different RUs use the same CRI, each unit will
   maintain a moniker file. Exceptions will be made for one-time use or very
   occasional use.

g. True Name/Code Number Index Log (Required): DVD will issue a
   quarterly True Name/Code Number Index Log by RU that lists the agent/
   informants currently in an active or inactive status. All units will maintain
   this log when using agent/informants and/or disbursing evidence funds.
   1. This log will be justified each quarter with the files maintained by the
   RU. If there are discrepancies, the DVD administrative sergeant will
   be notified immediately in order to update the master files.
   2. This log will be maintained in a file folder with the Agent/Informant
   Profile and Liability form file.
   3. The log will contain agent/informant code numbers, complete true
names, complete code names, dates and DPSST # of initiating member/investigator.

h. Agent/Informant Code Numbers (Required).
   1. A DVD supervisory sergeant will check the code name to ensure that it is not already in use by another agent/informant.
      a) An agent/informant code number must be assigned by a DVD supervisory sergeant prior to any agents/informants receiving or expending evidence funds or being under the direction of a member who is actively working on a criminal investigation.
      b) To maintain uniform accountability, the code number will be a unique sequential agent/informant number that is not assigned to any other agent/informant. This will preclude an informant who works for more than one division from having different code number.
      c) The DVD supervisory sergeant will also run a check of the informant’s true name through the Western States Identification Network (WSIN) database and the Oregon State Identification Network (OSIN).
   2. The code name will be an alias. True names will not be used. The name will be a complete first, middle and last name. Initials and short names will not be used.
   3. The code number will be used in all receipt and record-keeping transactions involving the agent/informant.

i. Agent/Informant Exceptions.
   1. A RU manager may waive the above process in special situations where the information is of such value it would be counter-productive to force the agent/informant to identify themselves. Exceptions will be kept to a minimum and closely supervised.
   2. Exceptions may also be authorized by the RU manager for one-time payments for information. An EFAR will be completed and the agent/informant will sign using their true name.
   3. Each division disbursing evidence funds will set up a file with an assigned code number and a code name entitled “Informant Exceptions.” All Informant Exception EFARs will be filed in this folder in chronological date order.
      a) If the RU manager grants an exception, the member disbursing funds will complete a receipt, printing in the code name Informant Exception.
      b) The code number for the informant exception file will be used as the code number for the agent/informant.
      c) A RU manager’s name and the reason for granting the exception will be noted in the comment section of the receipt.
d) All other reliability/productivity information will be completed on the receipt.

e) Informant Moniker and Reliability forms will not be completed on Informant Exceptions.

j. Evidence Fund Accounting Receipts.

1. Contains information on evidence funds disbursal, and agent/informant productivity and reliability. The EFAR is an important link in the audit trail for evidence funds and in developing information related to criminal investigations. For these reasons, all member/investigators are reminded that:

a) A signed receipt must be obtained for all fund disbursal to agents/informants.

b) All information possible must be included on the receipt.

c) Receipts must be processed and turned over to a member’s supervisor on the same day as the funds are disbursed.

d) An EFAR or written report must be completed for all agent/informant productivity, whether or not an expense is made. These receipts and/or reports will be filed in an agent/informant’s moniker and productivity file as soon as possible after the expense or transaction.

e) Agent/informant code numbers and code names will not be mentioned in police reports. They will be used when completing the monthly EFER.

f) An agent/informant will sign the full code name, including middle name, when signing a receipt.

g) All divisions using agents/informants, excluding ROCN, must enter the following information into PPDS from EFARs on a monthly basis:

1) Date.

2) Informant number.

3) Division.

4) I.D. of member using informant.

5) Amount paid (not to include buy money).

h) Divisions using agents/informants will be required to provide the Information Technology Division (ITD) with a current list of personnel, including I.D., having access to this database. Those members who determine their agent/informant is being used by another division must contact the control officer of that division.

k. Operations with an undercover operative (member or non-police person working in a specified undercover operation): Informants/members.

1. Informants will be assigned a control officer who is responsible for fund disbursement and accounting for evidence funds used by the informant. The control officer will also be responsible for monitoring,
directing and controlling the activities of the informant.

2. Under normal circumstances, members will adhere to DIR 660.30 and account for evidence funds under the prescribed procedures set forth.

3. Undercover members who, due to assignment, are unable to work from the division office draw funds in person, or process property or evidence in person, will be assigned a control officer. The control officer will be responsible for fund disbursement and accounting for evidence funds used by the member. The control officer will also be responsible for monitoring, directing and controlling the activities of the member. Undercover members used in this capacity should be under exceptional circumstances and pre-approved by a RU manager.

4. Disbursement to an undercover operative in the form of a monthly retainer is authorized under the following conditions:
   a) A written request is made to the RU manager, which includes at least the following:
      1) The expectations of the informant’s performance.
      2) The amount of the retainer.
      3) The duration and review dates of the contract.
   b) A DA has reviewed the request for appropriateness for prosecution.
   c) A weekly report is submitted to the RU manager giving the results obtained by the operative and the total weekly cost for service.

5. Evidence funds to be disbursed to the undercover operative will be drawn by the control officer in his/her own name. He/she will be responsible for:
   a) Disbursing funds to the operative.
   b) Ensuring the undercover operative accounts for expenditures, obtains proper receipts and supporting documents.
   c) Preparing a monthly EFER for the undercover operative showing dates, amounts and total funds the operative received and/or returned.
   d) Accounting for those funds on the control officer’s personal EFER.
   e) Assisting the operative in report preparation.
   f) Attaching an operative’s EFER at the end of the month.
   g) Handling and processing any evidence used, purchased or recovered by the operative.

6. The undercover operative will be responsible for:
   a) Accounting for funds received.
   b) Supplying supporting receipts, when possible.
   c) Documentation for the EFER to cover expenditures.
660.33 INFORMANTS

Index: Title; Confidential Reliable Informants (CRI)
Refer: DIR 660.30 Evidence Funds Use
       DIR 660.32 Agent/Informant Processing
       Problem Agent/Informant Report (DVD)

POLICY (660.33)
The Bureau recognizes the use of Confidential Reliable Informants (CRI) is essential in many types of investigations. The Bureau recognizes the need for flexibility in using CRI, as well as the potential for harm and abuse. To minimize the potential for abuse, the Bureau recognizes that close adherence to procedures by investigators and supervisors is necessary.

Members using CRI will maintain a professional relationship with the CRI in accordance with DIR 310.00 Conduct, General and will do so with knowledge and consent of the command of the unit to which they are assigned. Procedures will ensure maximum benefit in the use and handling of this type of information source while minimizing risk of abuse.

Members obtaining information from CRI, or other such sources, will use that information for law enforcement purposes in accordance with existing statutes, case law and Bureau procedures.

Members paying and using CRI for case development purposes must receive Bureau approved training before doing so. Drugs and Vice Division (DVD) will be responsible for such training and will maintain a list of Bureau members who have completed the training.

Members will control the activities of informants and use CRI with a clear investigative goal. CRI are to be used as a means to an end. They are not partners in the investigative process.

PROCEDURES (660.33)

Directive Specific Definitions

Agent/informant: An individual working for a member in an undercover status.

CRI: An individual who has established reliability by working with members in developing criminal information or evidence, usually as an agent/informant.

Member Responsibilities (660.33)
The following rules apply to the member-informant relationship:

a. CRI will be considered Bureau informants. Members will not engage in actions which would prevent CRI from working with other members. Supervisors of different units using the same CRI will confer monthly to assess investigator control and CRI performance.

b. Members will not engage in personal or social relationships with CRI,
and will not engage in sexual relationships with CRIs.

c. Members will not engage in business relationships with CRIs.

d. Members should not accept gifts or gratuities from a CRI. In the event this is unavoidable, the member will document the circumstances and place the gift or gratuity in the Property Room.

e. Members should keep officer safety strategies in mind in dealing with CRIs. Members should not meet CRIs alone. Exceptions may be authorized by a supervisor, based on tactical considerations.

f. Payments made to CRIs will be in accordance with DIR 660.30 and DIR 660.32. Members will complete the Evidence Fund Accounting Receipt (EFAR) and have the CRI sign the receipt when payment is made.

g. Any action taken on behalf of a CRI, other than payments (i.e., testifying on behalf of the CRI, obtaining case consideration from other members, interceding with a parole/probation officer on behalf of the CRI, etc.) should be documented through proper channels and placed in the CRIs true name file.

h. Members should maintain strict confidentiality on CRI identities. Any release of a CRI's identity will be done only with the RU manager’s approval.

Reliability of CRIs (660.33)

a. Maintaining the credibility and manageability of CRIs is fundamental to the effectiveness of the informant system. Members are swearing to the credibility of the CRI when using them for probable cause.

b. Supervisors are responsible for the ongoing review of CRI reliability and productivity. CRIs who do not produce, and/or are not found to be reliable, will not be used. Supervisors of different units using the same CRIs will confer on a monthly basis to assess investigator control and CRI performance.

c. CRIs who are non-credible and/or unmanageable have the potential for undermining the effectiveness of the entire system. CRIs who are not manageable or credible will be classified as unreliable and not used. When members become aware of incidents of unmanageability or noncredibility, the member will notify a supervisor to institute a supervisor review, and the member will document in a memo to the supervisor a description of the incidents which questions the manageability or non-credibility of the CRI. Until a determination has been made by a supervisor, the CRI will not be used by any member. The following actions/activities on the part of a CRI will be the basis for instituting supervisory review:

1. Untruthfulness on significant issues, especially related to an investigation.

2. Taking the same case to different units or agencies with the purpose of obtaining a better pay off (case shopping).
3. Engaging in criminal behavior.
4. Failing to maintain contact with the case member or being repeatedly uncontrollable.
5. Chronic intoxication or appearing to be under the influence of any drug.
6. Theft of evidence money or withholding drugs from an evidence buy.
7. Using his/her position for personal gain or identifying themselves as a police officer.
8. Violating a provision of the liability waiver or any CRI contract.
9. Any other act which seriously impairs the CRIs credibility or manageability.
10. Chronically non-performing (i.e., buys bunk (counterfeit drugs) or is unable to buy drugs).

**Problem Informants (660.33)**

   a. The decision to classify a CRI as unreliable will rest with the RU manager after reviewing the supervisor review documentation on the CRI in question.
   b. Once the decision has been made to declare a CRI as unreliable, the RU manager will ensure that:
      1. A Problem Agent/Informant Report is completed.
      2. The original Problem Agent/Informant Report along with the agent/informant’s original true name and moniker file will be transferred to DVD for inclusion in the master DVD problem agent/informant file.
         a) DVD will be responsible for distributing the problem agent/informant list of all Bureau problem agent/informants to all RUs using agent/informants.
         b) Copies of any files may be destroyed after the problem CRIs’ name appears on the DVD Problem Informant List since DVD maintains this documentation.

**Problem Informant Files (660.33)**

   All divisions and precincts using agents/informants will maintain a confidential problem informant file containing the most current DVD issued problem informant list. Copies of all Problem Agent/Informant Reports not yet reflected on the DVD Problem Informant List will be filed alphabetically by true name in this file. Prior to approving a new CRI, the DVD Problem Informant File and list will be checked by the control officer/investigator to determine if the individual has been a problem informant. If so, approval for informant use rests with the RU manager. If approved, RU managers must advise DVD in writing that the informant has been cleared for work within that RU.
Juvenile Informants (660.33)

The use of a juvenile informant should be made on a case by case basis as a last resort, with an investigative tactical plan describing how the juvenile will be used and documentation of why the investigation is so critical that a juvenile should be used.

The use of a juvenile informant for a criminal investigation needs the review and approval of the RU manager and the prosecuting District Attorney’s Office. Parent/guardian’s permission for the juvenile to act as an informant is required, unless the criminal investigation is so important that the RU manager and the prosecuting District Attorney’s Officer are in agreement that it is not needed in a specific case, because requesting permission would jeopardize the critical investigation.

Informant Contracts (660.33)

Oftentimes, CRIs work for case consideration instead of pay. In the event a CRI has been officially charged with a crime, an informant contract will be drafted and an agreement will be entered into by the member, a deputy district attorney, or assistant U.S. attorney and the CRI. The following procedures will apply to informant contracts:

a. An informant contract must be specific in the following areas:
   1. Work to be completed by the CRI. The details will vary, but the intent is to be specific (i.e., number of cases to be done, and the type and size of each).
   2. The duration of the contract and/or the possibility of time extensions.
   3. What the actual case considerations will entail.

b. The contract must include the name of the deputy district attorney or assistant U.S. attorney approving the contract.

c. The contract is to specify the member who will determine whether the terms of the contract are fulfilled or not.

d. The member identified in the contract as being responsible for the determination of completion of the terms will submit a memo documenting that determination and closing the contract. This memo is to be filed with the original contract.

e. In the event the contract timeline is extended, or some specifics are renegotiated or further clarified, these changes and the fact that all of the parties to the original contract agree, is to be documented in a memo and filed with the original contract.

f. Informant contracts must be pre approved by a supervisor and a deputy district attorney or assisting U.S. attorney and signed by the CRI only after the contract, the CRI packet and CRI are approved by the RU manager.
POLICY AND PROCEDURE

670.00 TRIMET ENFORCEMENT

Index: Title
Refer: ORS 164.245 Criminal Trespass II
ORS 166.025 Disorderly Conduct
ORS 166.116 Interfering With Public Transportation
TriMet Code Chapter 28 Regulations Governing Conduct on District Property
TriMet Code Chapter 29 Regulations Governing Proof of Fare Payment
TriMet Code Chapter 30 Regulations Governing Parking Facilities
TriMet Administrative Rules for the Issuance and Processing of Exclusions
TriMet Administrative Rules for the Issuance and Processing of Interdiction Commands

POLICY (670.00)
All members will take appropriate action when summoned to the TriMet system on reported criminal, civil, or order maintenance situations. Additionally, members using TriMet’s services will exercise discretion in the event circumstances arise which require police action.

PROCEDURES (670.00)

Directive Specific Definitions
Transit Police Division (Transit Police): A division within the Bureau under contract with TriMet to perform law enforcement duties for the TriMet system.
TriMet System: The Portland metropolitan area transportation system which includes, but is not limited to, bus, train, train platform, and all property and equipment owned, leased or controlled by TriMet.

Authority (670.00)
TriMet Ordinance 28.20(c) provides all peace officers of the State of Oregon the authority to issue citations, as provided by Oregon law, to any person who violates any provision of TriMet Code 28.15. Violations of TriMet ordinances are infractions and therefore subject only to citation issuance.
TriMet fare inspectors are not members of a criminal justice agency. Therefore, members will not provide them with LEDS information.

Sworn Member Responsibilities (670.00)
a. Issuance of Citations: Persons who are charged with violating TriMet codes commit an infraction and will be cited into the Circuit Court of venue through the issuance of a Z cite (See DIR 870.20 for cite definitions.).
b. Exclusions: Any sworn member may exclude persons who violate any
provision of the TriMet code or state statute as it relates to TriMet. Members deciding to exclude a violator from the TriMet system will:

1. Complete a TriMet Notice of Exclusion form.
2. Issue the excluded person his/her copy of the exclusion form, and a copy of Exhibit D.
3. Complete and sign the affidavit portion of the form (if additional police reports are written make note of that fact on the affidavit).
4. Fax a copy of the front of the Notice of Exclusion, and a copy of the affidavit to the TriMet Exclusion Administrator within 48 hours. The fax number is printed on the bottom of the Notice of Exclusion.
5. Forward all original reports and forms through normal channels to the Records Division (Records). Note: The length of the exclusion will be based upon the conduct of the person being excluded. Each exclusion has the TriMet code violation and length of the exclusion printed on the front of the form. All exclusions will be subject to an automatic stay of ten business days, following the date of issuance.

**c. Interfering with Public Transportation based on Current Exclusion:** A Person may be arrested for Interfering with Public Transportation, ORS 166.116 if the person intentionally or knowingly enters or remains on TriMet property and an exclusion is verified to be current through the TriMet system. To determine if the person is excluded at the time of contact, members can contact TriMet dispatch on their radio channel or by phone. The phone number is available in the Problem Solving Resource Guide. Persons who are found to be presently excluded from the system may be charged with Interfering with Public Transportation if:

1. They have not had the exclusion period rescinded by the TriMet Hearings Officer.
2. They have not been granted a variance to allow for school or occupational travel. If a variance has been granted the excluded person is required to have a letter on his/her person indicating the terms of the variance (Interfering with Public Transportation replaces Criminal Trespass in the Second Degree for situations on public transportation property).

**d. Persons may be arrested for Interfering With Public Transportation if they:**

1. Interfere with the provision or use of public transportation services by interfering with the movement of, or access to, public transit vehicles.
2. While in or on a public transportation vehicle or public transit station, engage in disorderly conduct as defined in ORS 166.025 Disorderly Conduct.
3. Subjects a public transportation passenger, employee, agent, security
officer, or transit police officer to offensive physical contact.
e. Records Division Responsibilities: Upon receipt of reports related to the TriMet systems, Records will:
1. Forward all copies of the Notice of Exclusion form to the Transit Police in exclusion cases where no other reports are written.
2. When additional police reports are written, the Notice of Exclusion form will receive the same case number as the police reports. Copies of all reports and the original TriMet forms will be forwarded to the Transit Police.
f. Transit Police Responsibilities: The Transit Police will forward appropriate copies to TriMet for entry into their computer system. TriMet will then print and distribute a weekly exclusion list to all Operations Branch RU’s.

680.10 NON-PUBLISHED TELEPHONE NUMBER INFORMATION
Index: Title; Telephone Number Information, Unpublished

PROCEDURE (680.10)
Nonpublished telephone number information will be disclosed upon confirmation of the identification of the requesting member when one of the following conditions exists:
   a. Imminent threat to life or substantial property damage.
   b. The urgent necessity for prompt apprehension of a known or suspected criminal.
   c. The urgent necessity of contacting or attempting to contact next of kin regarding the death or serious injury of a person or in aid of identifying an unidentified person.
   d. A continuing investigation concerning apprehension of a criminal or recovery of stolen property.

The nonpublished telephone number may be obtained by calling BOEC or the appropriate telephone company and describing the specific nature of the emergency. The telephone company, if called directly, will confirm the identity of the requesting member through BOEC who will provide the PIN (personal identification number) to the telephone company.

If the request for the nonpublished telephone number is honored, the member involved will contact the Chief of Police’s Office, as soon as practicable, with the name and address of the person with the nonpublished number so that a letter of confirmation can be reviewed, submitted and received by the appropriate telephone company within five days.

If the reason for information does not fall within one of the four exceptions, the disclosure of nonpublished telephone number information, customer credit informa-
tion and customer toll records will be made only upon presentation of valid legal process (court order, search warrant, civil or criminal subpoena or administrative summons).

Emergency requests for In Progress Traces and Hostage/Barricade situations will be made through BOEC. Members aware in advance of the need for a call trace, or when involved in a hostage situation, will notify BOEC. Appropriate phone company numbers are available in the Problem Solving Resource Guide.

690.00 TRAINING – PRECINCT/DIVISION

PROCEDURE (690.00)

a. General.
   1. The Training Division (Training) is responsible for the maintenance of training records for all members.
   2. If there is no significant impairment of operations, precincts/divisions may conduct proficiency or tactical training.
   3. In order to maintain training consistency throughout the Bureau, Training will review for approval all precinct/division-training programs. This requirement does not apply to Special Emergency Reaction Team (SERT), Hostage Negotiation Team (HNT), or Explosives Disposal Unit (EDU) training.

b. Specific.
   1. Precincts/divisions intending to conduct proficiency or tactical training will submit their proposal in writing to Training for review not less than 30 days prior to the first day of training. The Training manager may waive the 30-day requirement.
   2. Training will approve or disapprove training proposals. In the event of disapproval, reasons for rejecting the program will be set forth in writing. RU managers may appeal disapproved programs, through channels, to the Chief of Police in instances where they feel there is a compelling need to present the training.
   3. Training may monitor precinct/division training in an inspectional function.
   4. RU managers will be responsible for reporting the names of instructors and attendees in their training programs to Training within 10 days of each instructional period. Training will enter the subject and hours of training in each member’s training record.
710.00 DIGNITARY PROTECTION

POLICY (710.00)

The Bureau will assist the Secret Service with any visit of a federally designated protectee. Additionally, the Bureau will provide security and protection to other individuals when directed to do so by the Chief of Police or his/her designee.

PROCEDURE (710.00)

The following procedures will be employed in order to provide security for Secret Service protectees when visiting the City:

a. Upon notification from the Secret Service, the Operations Branch chief will designate a captain as the overall coordinator and incident commander. However, if the visitor is to be the President of the United States the incident supervisor will be the Operations Branch chief.

b. The assigned supervisor will prepare an operations order establishing the assignments for the Bureau. The order will be modified by addenda from assisting RU’s. The operations order will contain the following:
   1. Situation.
   3. Execution.
   4. Service Support.
   5. Command and Signal.

c. During the visit, the incident supervisor, or his/her designee, will travel in any motorcade and remain on-site during all appearances.

d. The incident supervisor will immediately notify other units within the Bureau of the pending visit. At a minimum, the following will be notified:
   1. Criminal Intelligence Division.
   2. Detective Division (Detectives).
   3. Forensic Evidence Division (Forensics).
   4. Public Information Officer (PIO).
   5. All Operations Branch RU Commanders (including Reserves).
   7. Tactical Operations Division (TOD).
   9. Records Division Manager.
   10. The Secret Service will normally notify the following as part of their procedure: Multnomah County Sheriff’s Office, Oregon State Police, Fire Bureau and Portland Traffic Engineer.

e. As visitation sites and hotel accommodations are identified by the Secret
Service, the precinct responsible for the geographical area will be assigned site responsibility. Each site will have a sergeant assigned to the Secret Service who will have responsibility to coordinate with the motorcade and the Secret Service in order to provide the necessary support. The primary or other identified sergeant will be at the site during the visit. Any major site with the President of the United States as the dignitary will require a lieutenant as the site supervisor.

f. All Operations Branch RUs will identify a reserve force of members with a supervisor to assist in the event that they may be needed.

g. BOEC will be requested to provide a radio net and a dispatcher. During the actual movements of the dignitary, a member who is familiar with the operations order will be present at BOEC. The Secret Service will also be requested to staff that location with an agent who is familiar with their operations.

h. The Mounted Patrol will be made available and may be staged in an area so as to be available for crowd control.

i. Forensics will be available to photograph demonstrations in order to record criminal activity.

j. The Detective Division Mass Arrest Team will be placed on standby. The Detective Division will also staff the command post during overnight visits.

k. The Secret Service will establish a command post prior to the arrival of the dignitary. The command post will be staffed 24 hours a day by a sworn member when the protectee is in the Portland metropolitan area. The command post communication equipment will be tested ahead of the visit. If the need arises, the Bureau of Electronic Services will be asked to assist in order to have reliable communications with the command post.

l. During any visit, radio earphones will be provided to members involved in a demonstration.

Security/Protection Measures for Other Individuals (710.00)
The providing of security for other individuals by the Bureau will be determined by the Chief of Police. The Chief of Police will designate an incident supervisor who will determine the appropriate course of action based on the requirements of the event.

720.00 SERT AND HNT USE
Index: Title; Hostage Negotiations
Refer: SERT Service Request - Planned Operations Risk Assessment Form (TOD)
POLICY (720.00)
In special emergency situations, the Bureau will make every effort to ensure the safety of hostages, innocent bystanders and members while attempting to safely arrest the suspect(s).

PROCEDURE (720.00)

Directive Specific Definitions
Activated status: Special Emergency Reaction Team (SERT)/Hostage Negotiation Team (HNT) members are considered to be in activated status upon receipt of a command to take action.

Awaiting activated status: While on the scene of a situation or at a designated staging area, is considered to be on standby.

Call-up: Receiving an order to report for duty.

Critical Incident Commander (CIC): A specially trained on call command person designated by the Chief who responds to all SERT/HNT activations, high-risk warrants, and any other event designated by a Branch chief or the Chief of Police. The CIC has the authority and responsibility for all police actions related to the incident and reports to the Operations Branch chief during emergency activations.

On-scene incident supervisor: The highest ranking supervisor/command officer who assumes command at the scene of an incident.

Mandatory Call-Up Situations (720.00)
SERT and HNT serve to provide tactical support for the Bureau. In all situations described below, call-up procedures will be implemented for both SERT and HNT, as well as the on call Critical Incident Commander and the Operations Branch chief.

a. A barricaded person: A person using an obstruction (i.e., building, car, etc.) and the threat of deadly force to accomplish a certain goal or, in the case of a criminal, to prevent capture.

b. A hostage situation: An incident involving a person being held by a suspect who is reasonably believed to be armed, as a means of forcing compliance with some demand.

c. A sniper situation: A person, usually concealed, shooting or threatening to shoot at other people.

d. A high-risk search/arrest warrant where there is a potential threat sufficient to require SERT to execute the warrant.

Exceptional Situations (720.00)
Occasionally, tactical situations arise which do not pose an immediate threat to the general safety and well-being of the community, but do require the expert or tactical support of either, but not necessarily both, SERT or HNT. Such is exemplified by, but is not limited to, situations where the services of HNT would facilitate
the resolution of an individual threatening suicide by jumping from a bridge.

Requests for SERT to execute search warrants will be forwarded through channels along with a completed SERT Service Request – Planned Operations Risk Assessment Form. At the conclusion of the warrant service, SERT will attach and forward the original assessment form along with their After Action Report to the Chief of Police’s Office.

**Responsibilities (720.00)**

**Operations Branch:** The Operations Branch has full responsibility for the Bureau’s response to a field tactical situation. Whenever the SERT and/or HNT are called to a tactical operation, they shall be under the direct command of the Operations Branch for the duration of the incident.

**On-scene incident supervisor:** Pending the arrival of the Critical Incident Commander, the on scene highest ranking member at the scene who assumes command is the on-scene incident supervisor and has the authority and responsibility for all police actions during any incident unless, or until, relieved by the Critical Incident Commander.

**Critical Incident Commander:** The Critical Incident Commander responds to all emergency SERT/HNT activations and has the authority and responsibility for all police actions during an incident once he/she assumes command from the on-scene incident supervisor.

If it is determined that both SERT and HNT are needed, that information should be relayed to a supervisor who can implement a call-up and immediately report to the scene.

The SERT, HNT and Critical Incident Commander call-up procedures shall be implemented by BOEC upon the order of a supervisor. BOEC will also notify the precinct desk personnel, during desk operation hours, of the call-up. The precinct of occurrence will be responsible for making all command notifications.

The Critical Incident Commander may at any time, and as circumstances dictate, either activate or deactivate SERT in order to resolve the situation.

The tactical functions, which shall be addressed by the Critical Incident Commander, are:

a. Assessment of the situation.

b. Development of the mission.
   1. Containment of the area – inner/outer perimeters.
   2. Evacuation, if needed or possible.
   3. Creation of a command post, to include site and staff.
   4. Designation of an off-site briefing post for City representatives.
   5. Communication: Reserve appropriate nets, set up command and controls.
   6. Rules of engagement given to all members by on-scene commander.

c. Execution of the mission.
1. SERT, HNT, or EDU – concept of operation.
2. Containment, support.
3. Sub-unit missions.
4. Coordinating instructions.
5. Coordination of media message and/or community notification through PENS.

d. Support.
   1. Relief members.
   2. Medical.
   3. Fire.

e. Command and signal.

The Critical Incident Commander will be called, and will assume command for the duration of the incident. The Operations Branch chief will be notified and advised of the circumstances. In the event that none of the on-call Critical Incident Commanders are available to respond, the Operations Branch chief will respond. If the Operations Branch chief is unavailable, the Investigative Branch chief or the Services Branch chief will be notified, in that order. The responding Branch chief will assume command of the operation. The precinct commander will be notified and may respond. The precinct commander or designee will direct patrol resources in support of the event at the direction of the Critical Incident Commander. The precinct commander or designee will also manage precinct operations unrelated to the event.

Once the call-up procedure has been initiated, SERT and/or HNT shall be deemed to be on standby status until the on-scene incident supervisor or the Critical Incident Commander directs them to perform in either of their separate functions as part of the operation.

SERT and HNT may be canceled only by the on-scene incident supervisor or the Critical Incident Commander.

The HNT will have full responsibility for determining negotiation methods, but will maintain close coordination with the Critical Incident Commander and keep the Critical Incident Commander and SERT commanders briefed. The Critical Incident Commander may at any time, as circumstances dictate, either activate or deactivate negotiations or use other tactical responses.

Upon using of SERT by the Critical Incident Commander, SERT will have full responsibility for determining tactical methods. The SERT commander will retain supervisory control of the team and will maintain close coordination with the Critical Incident Commander who may, or may not, use SERT. Prior to being used in counter-sniper, perimeter or entry role, SERT may, at the direction of the Critical Incident Commander, gather intelligence and make other preparations for performance of their mission.
Bureau Supervisors and Non-Police Bureau Personnel (720.00)

Bureau supervisors and City representatives not involved in the operation shall be directed to a location other than the command post, as designated by the Critical Incident Commander. The Critical Incident Commander will appoint one member as liaison to keep these observers apprised of any changes in conditions.

Outside Agency Requests (720.00)

Outside agency requests for HNT services within a 50-mile radius of Central Precinct must receive approval from the HNT commander or designee, or if unavailable, the TOD manager or Investigations Branch chief. Such requests for SERT services must receive approval from the SERT commanding lieutenant or designee, or if unavailable, the TOD manager or Investigations Branch chief. Requests for the services of both HNT and SERT may be directed to either unit’s commanding lieutenant or designee, who will then be the contact person for the agency making the request. That lieutenant or designee will then contact the other unit with the service request.

Requests for assistance beyond the 50 mile radius must receive the approval of the Chief of Police or, if unavailable, the Investigation or Services Branch chief.

740.00 EXPLOSIVE DEVICE INCIDENTS AND EDU

Index: Title; EDU
Refer: ORS 166.382 Possession of Destructive Device Prohibited; Exceptions
ORS 166.384 Unlawful Manufacture of Destructive Device
ORS 166.385 Possession of Hoax Destructive Device
City Code Title 14A.60.040
DIR 741.00 Chemical and Biological Agents/Weapons

POLICY (740.00)

The Bureau will immediately respond on calls of bomb threats and suspected explosive devices using the following procedures in order to protect the lives of citizens, protect the lives of members and protect property.

PROCEDURE (740.00)

Directive Specific Definitions

Major post-blast: A blast scene where there is injury and/or major property damage. Major post-blast scenes will be treated as a major crime scene.

Minor post-blast: A blast scene where there is only slight damage to property, (i.e., vandalism by explosive).

Bomb Threats (740.00)

a. Any member who receives information pertaining to a bomb threat will
immediately notify the Bureau of Emergency Communications (BOEC) and a supervisor. If the member receiving the threat is in the building or location that is the target of the threat, communication will be by landline telephone, as radio broadcasts may interfere with explosive devices.

b. If possible, members will obtain the following information:
   1. The specific address and/or building location or name, floor, room number and location in the room the device has been placed.
   2. The type of bomb, its physical description and/or container.
   3. The time the device will detonate.
   4. The reason the device was placed (motivation).
   5. The individual or group claiming responsibility.

c. BOEC will dispatch, by radio, a district car and detail sergeant or other supervisor to the location of the threat. BOEC will advise the nature of the call using appropriate radio codes (33B). In all calls involving bomb threats, a supervisor will respond to the scene.

d. Responders will use only hand-held radios within 100 feet of these calls (one block). Turn off all other devices (car radio, MDC, and cellular phones; pagers that receive only are okay).
   1. If a device has been located, do not transmit within 100 feet or until told to do so by an Explosive Disposal Unit (EDU) member.
   2. If members are there in response to a bomb threat, turn off pack set until the immediate area has been searched. Never search an area with the radio on.
   3. If you must transmit, move to an area that has already been searched.
   4. If you are in a high-rise structure, move up or down at least two floors from the target floor to an exterior wall by a window before transmitting.

e. Members and supervisors will assist the person in charge of the targeted location in evaluating the bomb threat for validity and need for further action. Some of the factors to consider are specifics of the threat, nature of targeted location, time of detonation, physical access to the site, and current events at the location.

f. The person in charge of the targeted location will have the responsibility to determine if a search is to be conducted.

g. Members will assist in the organization and search of a building/premise if requested.

h. Members will complete a written report detailing the threat and subsequent police actions. If information supports an investigation, the report will be forwarded to Detective Division Arson Detail for follow-up.
Suspected Explosive Devices and/or Known Explosives (740.00)

a. If a suspected or actual explosive device is located, members will clear the immediate and adjacent areas. Members should move at least 100 feet from the suspected device before turning on any radio communication equipment (hand-held radio, car radio, cell phone, etc.) and notifying BOEC. Hand-held radios generate less radio energy, therefore they should be used for all on-scene communications.

b. Members will not touch or move any suspected device.

c. Once an area is clear of civilians, members should retreat to an area of substantial cover.

d. EDU will assume command of the scene upon their arrival and until the area is declared safe to enter.

Evacuation Decision (740.00)

a. When a threat is received by any facility, building and/or premise, public or private, the decision to evacuate is the responsibility of the person in charge of that facility, building or premises. In multi-tenant buildings where an evacuation has been undertaken, members will ensure all tenants are aware an evacuation is occurring.

b. In the event a suspect device is found, the ranking member on the scene, or EDU member, will secure the area and start an evacuation of the immediate and adjacent areas.

c. Do not route evacuating personnel by or near a suspected explosive device. Keep all persons away from glass windows and doors. Once civilians have been moved away from the suspected device(s), the ranking member will also ensure public safety personnel have moved to a location that provides substantial hard cover while allowing members to keep a secure perimeter.

Post-Blast Procedures (740.00)

a. Minor post-blasts that involve slight damage may be handled by the assigned responding officer following a telephone conversation with EDU (i.e., small explosions by plastic bottle bombs or fireworks). All pipe bomb blasts will be investigated by EDU in conjunction with a fire investigator.

b. Where there is injury and/or major property damage, members will treat this as a major crime scene. Because of the possibility of a secondary explosion, members will ensure that once the injured person(s) is removed, all public safety personnel move away from the blast scene to a location that provides substantial hard cover. EDU and the Arson detective will be notified immediately.

c. EDU will assume command of the scene on their arrival and until the
area is declared safe to enter. They will provide technical assistance to the Detective Division (Detectives) in processing the scene.

d. Detectives will be responsible for the follow-up investigation.

Activation of EDU (740.00)

a. Request that BOEC activate EDU. Members should be prepared to give BOEC a brief description of the suspected device and location of a safe staging area for EDU and, if feasible, a callback phone number for EDU.

b. EDU will be activated in the following circumstances:
   1. When in the course of a search, pursuant to a bomb threat, a suspicious object is discovered and there is any possibility that it is an explosive or incendiary device.
   2. When any explosive, explosive chemical, or ordnance is discovered abandoned, illegally possessed, or voluntarily surrendered (including ammunition .50 caliber or larger).
   3. When large quantities of illegal fireworks are discovered or seized.
   4. When an explosive or incendiary device has detonated.
   5. If a member intends to charge or arrest an individual with possession or manufacture of a destructive device under ORS or City Code Title 14A.60.040 Possession of Explosives or Bottle Bombs.

Responsibilities (740.00)

a. Patrol members/sergeants.
   1. Provide initial response to scene where explosives or a suspected device has been discovered.
   2. Provide initial evaluation of bomb threats and/or decision to evacuate.
   3. Provide a safe approach and work area for EDU.

b. BOEC.
   1. Notify the EDU sergeant of any bomb threat directed against any facility, public or private, and notify an EDU sergeant of any found suspected explosive devices.
   2. Forward requests from outside agencies to the EDU sergeant.

c. Explosive Disposal Unit.
   1. Respond when activated.
   2. Render safe explosives, explosive chemicals, and hazardous devices.
   3. Process minor post-blast scenes in conjunction with fire investigators.
   4. Process major post-blast scenes in conjunction with Detectives (Ar-
5. The authority to decide how or if a bomb, hazardous device or explosive is to be rendered safe rests solely with the EDU technician.

d. EDU Sergeant.
   1. Coordinate and assign EDU and Metropolitan Explosive Disposal Unit (MEDU) members to calls for EDU services.
   2. Coordinate follow-up investigations with the Arson detective.

e. EDU Commander.
   1. Obtain permission from the Operations Branch chief for operation outside of the MEDU jurisdiction or 50 miles from Central Precinct.
   2. Advise the Operations Branch chief and the precinct commander of the occurrence of any event of significance, and any event that indicates terrorist activity.

f. Detectives.
   1. Secure the scene.
   2. Provide follow-up investigations, and evidence control in major post-blast investigations.

Assignments (740.00)

EDU members not regularly assigned to the Tactical Operations Division (TOD) will be assigned to TOD while responding to calls for service involving explosives, bombs, hazardous devices, explosive chemicals, and training. Likewise, members of the MEDU will be assigned to TOD for the duration of the call or training.

741.00 CHEMICAL AND BIOLOGICAL AGENTS/WEAPONS

Index: Title; Weapons of Mass Destruction
Refer: DIR 740.00 Explosive Device Incidents and EDU
       DIR 640.13 Drug Lab Procedures

POLICY (741.00)

The Portland Police Bureau will respond immediately to calls where chemical or biological agents have been deployed and respond to suspicious items that may contain a chemical or biological agent. Members will protect the lives of citizens, mindful that only members specifically trained and equipped can operate in environments where the agents have been used. Any response to these types of situations must be done with extreme caution. Responders should not place themselves in a position to be a victim or casualty. Members should treat these events similar to hazardous material releases.
PROCEDURE (741.00)

Directive Specific Definitions

Biological agents: Derived from organic materials. They may cause illness or death if not treated after exposure and incubation.

Chemical agent: A substance (liquid, solid, or gaseous) that by itself, or in combination with another agent, is readily capable of causing injury or death. These agents may act upon respiratory, nervous, or other organs to cause failure. The agents may be undetectable at time of exposure, or act so quickly that the victim cannot respond.

Contamination: Physical contact made with harmful substance/agent. The contact may be made by inhalation or absorption through skin/tissue/mucous membranes.

Level B protection: Consists of chemical resistant clothing, boots, hood, rubber gloves, and self contained breathing apparatus that is consistent with standards set by OSHA.

Dispatch Definitions (741.00)

BOEC will dispatch these calls as an Investigation, Threat or Incident. These calls will be type coded and dispatched as 33INV for an Investigation, 33CTH for a Threat, and 33C for an Incident.

33INV is a police only response designed to evaluate a threat that does not appear to be credible at the onset.

33CTH is a joint police/fire response that also dispatches PFB Hazardous Materials unit (HazMat) and the Explosives Disposal Unit (EDU). This response will evaluate credible threats or releases.

33C is a confirmed chemical or biological release. This type code will dispatch fire, police, medical, and emergency management resources.

Scenarios (741.00)

There are four general scenarios involving the threat or release of chemical/biological agents that are possible. Each will necessitate different police responses. It should be noted that any of these responses would, at a minimum, involve Portland Fire Bureau (PFB). The threatened use or use of chemical/biological agents is a federal crime and will be investigated by the FBI. Additional federal resources are readily available for the identification and analysis of these agents.

These types of incidents require immediate coordination between police and fire first responders. Supervisory personnel will establish a Unified Command with PFB. The first priority will be containment of the scene and treatment and decontamination of injured persons. This is to prevent contamination of other people and/or locations.
Scenario 1: Release of a biological agent without notification.
If the suspect does not alert authorities, the onset of symptoms in the victims will be the first alert. This release will be first noticed in the medical community a few days after the event. Member involvement would be primarily investigative.

Scenario 2: Release of a chemical agent.
Police, PFB, and EMS respond to a call where persons are showing signs and symptoms of exposure. The police role in this situation would be in support of PFB, HazMat, and EDU operations. Members may be providing perimeter security and evacuations in the contaminated area, along with initial investigation.

Scenario 3: Release of a biological agent with notification.
In this scenario, the suspect notifies authorities or the media that he/she has released an agent. Because biological agents are not readily detectable, nor will they cause immediate symptoms, this scenario is difficult to analyze. Generally these scenarios are associated with anthrax or similar bioagent. A threat assessment and investigation will be conducted by PFB, HazMat, EDU, and federal agencies to make a joint determination of validity to the incident. Member involvement may be to provide perimeter security and evacuation in the contaminated area.

Scenario 4: Threatened release of chemical/biological agents.
The suspect alerts the victim, authorities, or the media that he/she intends to release an agent at some future time, similar to a bomb threat. The assumption would be that the suspect would have some sort of timed or triggered device he/she plans to release after he/she notifies authorities. The police mission is to provide perimeter security and possible evacuation to the containment area, while the Incident Supervisor conducts a threat assessment.

Specific Responsibility for Incidents (741.00)
BOEC Responsibilities
a. Dispatch Coordinator will immediately dispatch EDU.
b. Notify FBI.
c. Maintain phone contact with the scene when possible.
d. Direct the caller, if not contaminated, to meet responder outside of the location.

Member Responsibilities (741.00)
a. Do not enter the scene.
b. Initially evaluate the incident from a distance (while en-route).
c. Make the following considerations:
   1. Are there multiple victims?
   2. Are the victims showing any signs or symptoms (i.e., choking, vomiting, seizures)?
3. Consider the location (courthouse vs. chemical factory).
4. Was there an explosion?
5. Is there a cloud or visible vapor?
6. Are there multiple devices possible?
7. Is it a trap?
d. Approach the area upwind if possible.
e. Set up the perimeter and containment.
f. Contact persons inside the location via phone or meet a non-contaminated person on the exterior.

Supervisory Responsibilities (741.00)
  a. Notify appropriate precinct commander and establish joint command with HazMat in the lead.
  b. Ensure that EDU is en-route.
  c. Establish a police staging area for additional responders.
  d. Establish entry and exit for emergency routes and keep the areas clear for EMS.
  e. Notify TriMet to stop all transit activity in the area.
  f. Coordinate with all other precincts to provide immediate security to all emergency rooms to prevent contamination to hospitals.
  g. Consider activating RRT for on-scene security or other functions.
  h. Coordinate with metro area police agencies for additional resources and the possibility that contaminated persons may have left the area and are en-route to medical facilities elsewhere.
  i. Coordinate with the FBI.

Incident Command (IC) Responsibility (741.00)
  a. Notify Chief of Police, Operations Branch chief, and PIO.
  b. Activate Police Bureau’s Resource and Coordination Center (RACC).
  c. Activate City Emergency Coordination Center (ECC).

EDU Responsibility (741.00)
  a. Respond and provide technical assistance to the Incident Supervisor.
  b. Advise Police Bureau Command of appropriate PPE level as determined by HazMat.
  c. Enter the Hot Zone to assess the scene and/or device.
  d. Coordinate with HazMat to mitigate the release of any agent.
  e. Preserve evidence in the Hot Zone.

RRT Responsibility (741.00)
  a. May provide scene security as directed by IC.
  b. May provide security to hospital emergency rooms as required.
Detectives Responsibility (741.00)
a. Interview victims or witnesses after decontamination by HazMat.

DVD Responsibility (741.00)
a. May be used as investigators in the Hot Zone if the Incident Supervisor allows level B HazMat protection.
b. May provide security for PFB decontamination line in level B gear if required.

Specific Responsibilities for Threats (741.00)
BOEC (741.00)
a. Same as incident.

Patrol members (741.00)
a. Same as incident.

Supervisory Responsibilities (741.00)
a. Establish joint command with PFB.
b. Ensure that EDU is en-route.
c. Conduct ongoing threat assessment.

EDU Responsibilities (741.00)
a. Respond and provide technical support to the Incident Supervisor.
b. Search the location as necessary.

Exposure (741.00)
Any Bureau member exposed or suspected of being exposed to any chemical/biological agent will be decontaminated immediately. The member will remove all contaminated clothing or equipment and wash with soap and water, prior to the arrival of HazMat or PFB. Upon arrival of HazMat, the member will be directed through further decontamination procedures if necessary. Members will not use any equipment that has been contaminated, including vehicles. Members will make an entry in the injury log describing exposure.

PFB and EMS will conduct medical evaluation and further monitoring at the scene. Multnomah County Health Officers will provide post-event care.

Reporting Process (741.00)
All members will document their actions by writing a Special Report. Sergeants will document, in a Special Report, all personnel responding to the call. Supervisors and EDU will complete an After Action report in confirmed incidents. The After Action report will be forwarded through channels to the Operations Branch chief.
POLICY (755.00)
Responsibility for action following aircraft crashes occurring within the City, but not at the Portland International Airport, rests primarily with the Portland Fire Bureau. After the initial Police Bureau response to save human life, the mission of the Bureau changes to a role in support of the Fire Bureau. After all life safety, fire and hazardous materials issues have been handled by the Fire Bureau, the Police Bureau will again become the lead agency providing security for the investigation and recovery operations.

PROCEDURE (755.00)
Duties of First Members on the Scene
The first units on the scene will take any actions necessary to save human life. These units must approach the scene with care and be alert for:
   a. Survivors or parts of wreckage thrown clear of the aircraft.
   b. Explosions, which may occur from fuel, oxygen, tires, bombs, munitions or other sources.

The first unit on the scene shall contact BOEC and relay the following information:
   a. Location of the crash.
   b. Whether or not the plane is on fire.
   c. Number of persons injured and needing assistance.
   d. Whether or not buildings are involved and what type (i.e., school, apartment, etc.).
   e. Whether or not buildings are on fire.
   f. Presence of hazardous materials and/or aircraft fuel.
   g. Identification of aircraft by number, company, or military service, if possible.
   h. Additional assistance required (police, fire, medical, etc.), if any.
   i. Where arriving police units should respond to immediately secure emergency access to the crash site.
   j. Notify the National Transportation Safety Board (NTSB) and FBI.

General Rescue Procedures (755.00)
A precinct sergeant will respond to the scene immediately to coordinate with the fire officer in charge until a precinct commander, or his/her designee, arrives. Upon arrival of a precinct commander, or his/her designee, coordination with the Fire Bureau will be initiated to establish a Unified Command, if one has not already been established. Members will carry out the following duties at the scene:
a. Seal the inner perimeter of the crash scene to prevent sightseers and looters from gaining access to the wreckage.

b. Create an outer perimeter a minimum of 1500 feet from the scene. Officers should set the perimeter or partial perimeter upwind and/or uphill in accordance with HazMat recommendations. It is not recommended that officers go into the immediate area of the crash, except for life-saving assistance. If occupied residences are inside the perimeter, citizens will be directed to remain inside their residence.

c. The area should be considered a potential crime scene. A scene roster will be established and coordination with the command post should be established to identify all emergency service workers on scene.

d. Establish and maintain emergency traffic corridors for arriving police, fire and medical units. Arriving police units must be careful not to park their vehicles where they block access to the crash site. If necessary, units should leave keys in the ignition of their unattended vehicles to ensure they can be moved to gain access.

e. Assist the first arriving ambulance in creating a triage area and a staging area for medical vehicles.

f. Establish a no smoking ban in the area of the crash.

g. When the Fire Bureau units arrive, members will follow the directions of Fire Bureau commanding officer in regards to further assistance, which may include:
   1. Removing or assisting injured persons from the wreckage.
   2. When it is necessary to disturb wreckage to remove survivors, members will make sketches or keep notes of the original location of the wreckage. If possible, the scene should be photographed and/or video taped as soon as possible.

h. Police responsibility will continue in the following areas:
   1. Maintaining the security of the crash site and debris field. Nothing should be moved until federal authorities have investigated the crash.
   2. Traffic and crowd control.
   3. Contacting witnesses and reporting their names and addresses and additional information:
      a) Weather conditions at the time of the accident, including temperature and wind.
      b) Direction aircraft was heading and what it appeared to be doing.
      c) Was the aircraft on fire in flight?
      d) Was there an explosion in the air prior to the crash?
      e) What were the various sounds heard (engine noise, etc.)?
      f) Were any objects seen falling from the aircraft?
Personal Safety Considerations (755.00)

Due to the hazards involved in responding to the scene of an aircraft crash, members should be aware of the following potential dangers:
   a. Caution should be exercised before coming into physical contact with metal parts of the aircraft. Due to friction or fire resulting from a crash, metal at the crash site may retain heat in a sufficient amount to cause severe injury.
   b. Aviation fuel is highly volatile and damaging to the skin.
   c. Leakage of possible hazardous cargo transported in the aircraft.
   d. Electrical shock caused by downed power lines and damage to the aircraft’s internal electrical systems.
   e. On military aircraft, do not raise, move or tamper with the armrests of a crew member’s seat, as they activate the ejection seats and are extremely dangerous. The seats are marked with a triangle “Danger, Ejection Seat.”
   f. Certain types of military and commercial aircraft constructed of resins and graphite will emit an extremely toxic smoke when burning. Members should not expose themselves to this smoke, as it can be fatal. To the extent possible, the public should be evacuated from the area exposed to this toxic smoke.

Additional Procedures for Military Aircraft (755.00)

Secure the area and exercise extreme caution. Military aircraft may contain classified equipment, as well as live ammunition, high explosives, nuclear weapons, and high octane aviation fuel.
   a. Request EDU response to the scene to assess hazards.
   b. Allow no one except Military Crash Team members to touch or remove anything from the scene.
   c. Prevent the taking of photographs by civilians. If photographs are taken, the negatives should be turned over to military authorities. It is a violation of federal statutes to take photographs of classified equipment.

Portland International Airport Emergency Response Plan (755.00)

All emergencies occurring on the property of the Port of Portland at the Portland International Airport are the responsibility of the Port Police and the Port of Portland Fire Department. Upon being notified by BOEC of an emergency condition at the airport, the Police Bureau will establish roadblocks at pre-established locations to control access to the airport. The specific roadblock locations are listed in the Northeast Precinct SOP.
HAZARDOUS MATERIAL INCIDENTS

POLICY (761.00)

The responsibilities of the Bureau in hazardous material incidents are containment of the incident and preservation of life and property within available means. Since members lack the equipment and training to deal in terms of neutralization or pick up of the hazardous substance, their duties will be limited. Members will engage in re-routing traffic, evacuating bystanders, setting up a perimeter and containment, administering limited first aid and calling up of necessary additional resources, and not deal tactically with the incident.

PROCEDURE (761.00)

Directive Specific Definitions

Hazardous material: A substance which exhibits one or more of the following characteristics: toxicity, flammability, corrosiveness, explosiveness, radioactivity or a tendency to rapidly decompose when exposed to oxygen at an elevated temperature.

Hazardous material incident: One involving a spill or uncontrolled escape of a hazardous material from a fixed facility, vehicle, or rail car.

Portland Emergency Notification System (PENS): An automated telephone system used to notify citizens of an emergency situation or police action in their area.

Notification (761.00)

Members may become involved in hazardous material incidents through the course of patrol activities or by radio call. Responding members must remember that a substance may be hazardous in several ways (i.e., members may worry about flammability only to be overcome by fumes). Therefore, the general rule is to maintain distance except where absolutely necessary to save life, etc. It is also necessary to be aware of weather (rain, wind) and geography (if incident is on a hill or if there is low ground near a spill). Generally, approach to incidents should be from uphill and upwind, where possible.

Whenever members determine that a hazardous material incident exists, they will have BOEC notify the Portland Fire Bureau (PFB). PFB will assume command of the incident and ensure containment and neutralization at the scene.

PFB will control access to the Hot Zone, which is the inner perimeter of the con-
taminated area. Access will be restricted to one location. Entry will be restricted to essential personnel wearing proper protective clothing, equipment, and apparatus. Police properly equipped may enter the Hot Zone or direct evacuations from outside of the Hot Zone with loudspeaker systems, or by using the PENS notification system.

The Warm Zone is the area outside the Hot Zone, which may become endangered if the contaminating substance is not controlled, or if the wind shifts direction. Members may, upon the advice of PFB, accomplish a precautionary evacuation of the Warm Zone. Entry into the Warm Zone will be controlled by police and restricted to only one location.

Members may be called to accident or derailment scenes where hazardous material conveyances are involved, but none of the material is actually leaking or escaping into the atmosphere. The member should immediately notify a supervisor of the circumstances of the incident at this point and have BOEC apprise PFB of the situation. The member must then closely monitor the situation and call PFB to respond if any doubt exists about the hazardous material starting to leak.

If necessary, while completing the above notification, members will begin detouring traffic, evacuating citizens, setting up perimeter and containment, and providing first aid. On-scene members should continually update BOEC on new developments or hazards, and advise on the current prevailing wind. Automated notification systems, such as PENS, can be used.

The supervisors of members who have responded to the scene of a hazardous material incident should determine the medical problems that may occur as a result of contact with the hazardous material and all associated symptoms. PFB will have this information. Members should be alert for any symptoms in the hours and days following the incident. Members should document their symptoms and exposure in their RU injury log. All PPB members will coordinate needed decontamination with PFB. All PPB members in the Hot Zone at any time will contact PFB for proper decontamination, and document their exposure to the hazardous material.

Members should consider the scene as a possible crime scene. Members should secure the scene and establish an entry log as outlined in DIR 640.10.

762.00 MOBILIZATION
Index: Title; Civil Disorders; Disasters–Mobilization; National Guard-Mobilization; Natural Disasters; Fires and Explosions; Hazardous Materials Incidents
Refer: Emergency Broadcast Message (Operations Branch)
Emergency Operation Personnel Record (Fiscal)
Recall Notification Log (Operations Branch)
OPCON Guide (Operations Branch)
POLICY (762.00)

It may be necessary to mobilize off-duty members, members from non-operational units and mutual aid resources to augment on-duty members in the event of a natural disaster, civil disorder, or any large-scale incident or emergency.

PROCEDURES (762.00)

Directive Specific Definitions

ECC: The Emergency Coordination Center for the City of Portland which acts as the Emergency Operations Center.

RACC: The Resource and Coordination Center for the Police Bureau which acts as the principal resource management and coordination center in the event of planned and/or critical incidents.

Mobilization Levels

Mobilization of members will occur at one of four levels, depending on the seriousness of the situation as determined by the Incident Commander (IC).

a. Level One Mobilization: The level of mobilization is accomplished by using on-duty members from non-involved precincts. The on-duty precinct commander in charge of an incident is authorized to initiate a level one mobilization at his/her discretion. A command post for the incident will be established.

b. Level Two Mobilization: The second level of mobilization is accomplished by a callback of off-duty precinct members who are normally scheduled to work the next relief. Precinct commanders are authorized to initiate a level two mobilization.

c. Level Three Mobilization: The third level of mobilization is accomplished by a callback of off-duty members from all Bureau units. The Operations Branch chief is authorized to initiate a level three mobilization. The Chief of Police will be immediately notified of all level three mobilizations. The Resource and Coordination Center (RACC) will be activated and a determination of location and support staff needs made.

d. Level Four Mobilization: The fourth level of mobilization is accomplished by a request for personnel resources from agencies other than the Bureau. Such agencies include mutual aid police agencies and the National Guard. The Chief of Police, or designee, is authorized to initiate a level four mobilization. The Chief of Police will request the City Emergency Coordination Center (ECC) be activated.

Nothing in this directive affects existing agreements between the Bureau and other agencies for the reciprocal provision of specialized support units.

Reporting Locations:

Members subject to emergency callback will report to their assigned RU or will be
provided with specific reporting location instructions at the time of the callback. In the event of a catastrophic emergency that significantly impacts or destroys segments of the transportation infrastructure, destroys or compromises the safety or ability to occupy Police Bureau facilities, or otherwise affects the habitability of segments of the city, members will report for duty at locations identified in this directive.

Members will first attempt to report to their assigned RU. In the event that members find that their RU or other Police Bureau facility is rendered unserviceable for any reason, the following are alternate reporting locations for each RU in order of precedence:

Central Precinct and RUs assigned to the Justice Center
1st Alternate Location    Southeast Precinct
2nd Alternate Location    Southwest Contact Office/7688 SW Capitol Hwy

North Precinct
1st Alternate Location    Northeast Precinct
2nd Alternate Location    Southeast Precinct

Southeast Precinct
1st Alternate Location    East Precinct
2nd Alternate Location    Northeast Precinct

Northeast Precinct
1st Alternate Location    Southeast Precinct
2nd Alternate Location    East Precinct

East Precinct
1st Alternate Location    Southeast Precinct
2nd Alternate Location    Northeast Precinct

Traffic Division
1st Alternate Location    Southeast Precinct
2nd Alternate Location    Northeast Precinct

Members from other Police Bureau divisions, units or functions that are not noted above will report to the nearest alternate location in the event that their RU cannot be reached or is not habitable.

In the event that large scale destruction during an emergency makes it impossible for members to reach their RU or an alternate reporting location, the following locations will be used as staging/reporting locations:
West of the Willamette River  
PFB Station #16, 1715 SW Skyline Blvd.

Rivergate Vehicle Storage Facility  
7027 NW St. Helens Rd.

East of the Willamette River  
PFB Training Facility/Station #2, 4800 NE 122nd Ave.

Oregon Army National Guard Armory  
10000 NE 33rd Dr.

Alert System and Recall Responsibilities (762.00)

Incident Commander Responsibilities (762.00)

a. Determine number of additional members needed both for immediate control of the incident and for relief during the course of the incident.
b. Determine appropriate level of mobilization and obtain command authorization, if necessary.
c. Begin Incident Command System (ICS) to manage the event.
d. Establish a Command Post and acquire necessary staff to support the incident.
e. Designate a Recorder for actions taken.
f. Appoint a logistics officer.
g. Appoint a staging officer.
h. Locate and secure appropriate staging area(s).
i. Cause an Emergency Broadcast message to be created and broadcast for the recall of off-duty members, if necessary.
j. Allocate members during course of incident.
k. Determine appropriate time for demobilization.
l. Establish a plan to sustain operations for more than one shift, if necessary.
m. Establish incident objectives and have an Incident Action Plan (IAP) written if the incident will be more than one shift in duration.

Logistics Section Chief Responsibilities (762.00)

a. Determine additional member needs from the IC.
b. Initiate call up appropriate to level of mobilization.
c. Notify specific units, if needed, SERT, EDU, RRT, Detectives, Canines, Forensics, EAP, etc.
d. Obtain necessary personnel to act as assistants.
e. Maintain records of personnel requests made to other units and/or agencies.
f. Plan for necessary relief of members engaged in incident.
g. Locate school, church, other facility, or TriMet bus to house officers who are relieved or resting.
h. Provide for necessary food, supplies and equipment to support incident members, including but not limited to: batteries, lights, flares, extra pack set batteries, restrooms, and barricades.
i. Provide for the use of the Emergency Operations Personnel Record Form to track all members costs associated with the incident.
j. Designate a radio channel to be used for the incident, separate from the precinct operational channel.
k. Track available resources and advise the IC.

RU Manager Responsibilities (762.00)

a. Each RU will recall its own off-duty members, if requested by the IC or his/her designee.
b. All RU managers will ensure that an SOP for an emergency recall is created and maintained by their RU.
c. Members engaged in an emergency recall of members will:
   1. Use the following format: “This is (identify yourself). This is a recall to duty. Effective (time and date) you will report to (person) at (location). Special instructions are: (uniform and/or equipment); (expected length of time of recall); (nature of emergency and expected duties, if known). Any questions?”
   3. Prepare a summary memorandum for the Operations Branch chief indicating the time the recall was initiated and the members who reported for duty and their hours worked.
   4. To the extent possible, RU managers will ensure that members reporting to staging area(s) will be organized by squads, including supervision, and report as a unit.

Staging Area Officer Responsibilities (762.00)

a. Designate a secure staging area for responding vehicles and equipment, provide for staffing, and maintain security.
b. Log in all arriving members and equipment.
c. Maintain ready status records of arriving members by squad.
d. Advise the Logistics Section Chief on the availability of reserve forces.
e. Dispatch squads to incident, as requested by the IC or his/her designee.
f. Maintain deployment status records of members involved in incident.
g. Coordinate with the Logistics Officer the provision of food and/or equipment of members held in reserve at the staging area.
h. Arrange for debriefing and/or decontamination of returning members, if
necessary.
i. Request TriMet for a bus to house, or transport officers relieved or resting, if needed.
j. Demobilize and arrange for clean-up of staging area at direction of the IC.

**Duty of Off-Duty Members in Event of a Major Incident (762.00)**
a. Off-duty members who become aware of a catastrophic emergency or major incident affecting the City, in the absence of any communication from the Police Bureau, are encouraged to monitor any available news or information source for reporting and duty instructions.
b. Off-duty members are encouraged to report as soon as possible to their RU or an alternate reporting location in accordance with this directive.
c. Off-duty members will not respond directly to the scene of an incident before reporting to an RU for assignment.

**Mutual Aid Considerations (762.00)**
a. Unless otherwise provided for in a mutual aid agreement, the Bureau is responsible for costs incurred by other local law enforcement agencies responding to assist the Bureau.
b. Members and equipment costs must be tracked by the IC or their appointed Finance Section Chief.
c. When requesting mutual aid, the following information will be provided to the responding agency:
   1. The specific types of duties to be performed by responding units.
   2. The specific number of members (including supervision) and types of equipment needed by officers assigned to each unit.
   3. The location where responding units are to report.
   4. Directions on how to safely access the reporting location.
   5. An estimate of how long the responding units will be needed.
d. A full-time liaison officer with a pack set must be assigned to the commander of each responding mutual aid unit to act as a communications link.
e. If possible, a representative of the responding agency will be assigned to the RACC to coordinate policies and resource management.
f. The IC must be prepared to give the Logistics Section Chief the authority and financial support to provide fuel, food and shelter, if necessary, to responding units.
g. The IC or designated Operations Section Chief should provide tactical missions for entire responding units, leaving their agency command intact. This is absolutely necessary when receiving military aid.
h. Only the Governor can activate the State of Oregon National Guard.
1. The Mayor must request the National Guard.
2. The National Guard will respond only after all civilian resources are completely committed.
3. The National Guard requires a staging area, convoy escort and command co-location with civilian authorities.
4. The National Guard will accept missions, but will determine the means to accomplish those objectives on their own.
5. The National Guard will determine the extent and type of force used by their personnel.

Demobilization (762.00)
The IC will ensure that demobilization occurs in an orderly manner by addressing the following issues:

a. Secure location of occurrence for determination of the preservation of evidence, etc.
b. Account for departmental equipment and ensure that it is serviced and returned to its proper place.
c. Return any borrowed equipment.
d. Supervise clean-up of areas used by Bureau personnel.
e. Decontaminate personnel exposed to hazardous materials and document those members exposed to the identified hazardous material in the Incident Command Injury Log, and in their respective RU Injury Log.
f. Conduct critical incident stress debriefing of affected members.
   1. Request Employee Assistance Office to respond and assist.
   2. Request Crisis Response Team (CRT) members to respond, if necessary.
g. Collect completed Emergency Operation Personnel Records forms.
h. Complete all reports immediately necessary for prosecution or reporting purposes.
i. As soon as practical, critique operation and complete the After Action Report.
j. Demobilize mutual aid.
k. If applicable, draft letters of appreciation to those who assisted Bureau personnel.
l. Complete the After Action Debrief and After Action Report.

763.00  OPERATIONAL CONDITIONS (OPCON)
Index:  Title
Refer:  DIR 312.50  Identification
        DIR 762.00  Mobilization
        OPCON Guide (Operations Branch)
POLICY (763.00)
To ensure appropriate response to critical incidents and other significant events, the Bureau must take protective measures and deploy resources, implement security measures, and establish enforcement postures in a coordinated and integrated fashion. This policy establishes Operational Conditions (OPCON) which are phased increases in operational readiness levels and security. These levels and their primary definitions reflect those adopted by both the U.S. Office of Homeland Security and the State of Oregon Office of Homeland Security.

PROCEDURE (763.00)
Directive Specific Definition
Critical incident or significant event: Will include, but not be limited to, a terrorist threat/attack, violent protest, riot, natural disaster, or major accident or emergency.

Implementation (763.00)
The Chief of Police, or designee, will determine if an OPCON level should be implemented. If unavailable, the Operations Branch chief will determine implementation and level. In emergency situations precinct commanders may declare an OPCON.

Upon implementation of an OPCON, appropriate notifications will be made. Members will confirm notification and level implemented. Modification or cancellation of an OPCON will be made by the Chief of Police or his/her designee.

An evaluation of the threat information, incident or event will include:
- a. To what degree is the information credible?
- b. To what degree is the information corroborated?
- c. To what degree is the threat, incident, or event specific and/or imminent?
- d. How grave are the potential consequences of the threat, incident or event?

OPCON Levels (763.00)
- a. Level 1: Low condition (green). Low risk of terrorist attacks, violent protests, or other significant incident or event.
- b. Level 2: Guarded condition (blue). General information of possible terrorist attacks, violent protest, or other significant incident or event absent indication of target type, location, or time.
- c. Level 3: Elevated condition (yellow). Significant risk of terrorist attacks, violent protest, or other significant incident or event with potential target type, location, or time.
- d. Level 4: High condition (orange). High risk of terrorist attacks, violent
protest, or other significant incident or event with a specific target or asset.

e. Level 5: Severe condition (red). Severe risk of a terrorist attack, violent protest, or other significant incident or event has occurred or is occurring.

Chief of Police Responsibilities (763.00)

a. Implement, modify, or cancel OPCON.
b. Notify and brief elected officials, City bureau managers, and agency heads as appropriate.
c. Direct the Criminal Intelligence Unit (CIU) to disseminate information (specific threat, source, location, date, time, etc.) to applicable government agencies as outlined in the OPCON manual.

Branch Chief Responsibilities (763.00)

a. Jointly establish OPCON notification and implementation procedures.
b. Jointly develop initial and ongoing OPCON training and exercises to establish and maintain operational readiness.
c. Notify RU managers in respective branches of an OPCON implementation and changes in OPCON level.
d. Implement the protocols set forth in the OPCON Guide.
e. The Operations Branch chief will personally contact the Dispatch Coordinator (DC) at BOEC and direct:
   1. A simulcast of implementation of an OPCON on all Bureau operational radio frequencies.
   2. An All PPB message to all Bureau Mobile Data Consoles (MDCs) with specific OPCON measures, directions, and information.
   3. Establishment of a CAD incident for the event encompassing all related communications, instructions, and responses.
f. Immediately assign center code for cost recovery measurement.

RU Manager Responsibilities (763.00)

a. Confirm OPCON implementation notification with appropriate Branch chief.
b. Notify members in his/her RU of OPCON implementation.
c. Post appropriate OPCON placard at all entrances to RU facilities.
d. Implement appropriate protocols in the OPCON Guide.
e. Develop appropriate RU SOP.
f. Maintain operational readiness through training and exercises.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (763.00)

RU managers will ensure all members within his/her command are familiar with
special operations conditions. It is every member’s responsibility to be situationally aware during these special operation conditions. The security of Bureau members and facilities is also the responsibility of all members. Supervisors must ensure adherence to DIR 312.50, Identification (requirement regarding the display of appropriate Bureau identification in city facilities) not only during special operating conditions, but at all times. The Investigative Branch is responsible for the update and publication of OPCON guidelines, and will prioritize inspection for compliance. The Operations Branch will assume this responsibility if the Investigative Branch is unable to do so.

785.00 EARTHQUAKE PROCEDURES
Index: Title; Disaster – Earthquake
Refer: DIR 762.00 Mobilization

POLICY (785.00)
In the event of an earthquake, the Bureau’s normal operational mode will change, depending upon the amount of damage. Activities may need to be highly directive and members will not become involved in rescue operations unless the incident is immediately life threatening and rescue can be accomplished rapidly. After a major quake, responsibilities for heavy rescue work will be performed through the Fire Bureau and major physical repairs by the Bureau of Maintenance and public utilities companies. The most important work which can be performed by members on patrol is to make damage assessments of pre-designated critical facilities, provide traffic control for emergency routes, provide a police presence throughout the city to maintain order, report injury estimates in an organized way for immediate transmission to the citywide Emergency Coordination Center (ECC), and act as an ongoing intelligence gathering agency. Members should maintain radio discipline, communicating by radio only when it is absolutely necessary and landlines are unavailable.

PROCEDURE (785.00)
General Responsibilities
a. Important safety information to remember during an earthquake and aftershocks:
   1. If inside a building, get under a desk, table, or next to an inside wall, and protect your head and eyes.
   2. Stay away from windows, tall furniture, or heavy objects that could fall.
   3. If outside, move away from tall buildings, glass windows, doors, trees, utility poles, and wires.
   4. If in a car, stop as soon as possible. Do not stop on bridges, on or
under overpasses, near tall buildings, trees, utility poles, or wires.
b. The most urgent police responsibilities immediately after an earthquake are to:
   1. Account for members. Conduct a Roll Call for field personnel.
   2. Evacuate all personnel if the building in which they are located sustains heavy damage. Aftershocks can occur within a few minutes of the initial quake.
   3. On-duty personnel shall remain on their assignments until properly relieved.
   4. Re-establish communications, if disrupted.
   5. Activate Police Bureau’s Resource and Coordination Center (RACC) if needed.
   6. Within one-half hour, provide the City ECC with a damage assessment of key installations, as well as a general damage and injury assessment of the area, including precinct or office location assessment. If communications are down designate a messenger to communicate information with Police RACC.
   7. Open and maintain major ingress/egress routes for emergency vehicles, and communicate to BOEC and the Police RACC which routes are open, and the condition.
   8. Provide a visible uniformed police presence throughout the City to maintain order, and to prevent looting.
   9. Facilitate evacuation of displaced persons to prearranged shelters designated by the City ECC at the request of the incident commander.
   10. Assist in the organization of civilian volunteers. Direct volunteers to the volunteer check-in locations designated by City ECC.
   11. Initiate Bureau mobilization process when advised to do so by incident supervisor.

**Precinct Commander Responsibilities (785.00)**

a. Take charge of precinct emergency operations until relieved. The senior on-duty supervisor will act as precinct commander until relieved. Several hours may pass before assistance arrives.

b. Direct members not to become involved in rescue operations, unless such incidents are immediately life threatening and rescue can be accomplished rapidly. Members must fulfill their primary functions of observing, estimating and communicating the overall situation. Members will avoid independent action and function under supervisory direction. This approach can ultimately save more lives in a major disaster.

c. Maintain radio communications with precinct members, Police RACC, and BOEC.
1. If at least one mode of normal communications is operational:
   a) Establish communications with the Police RACC or other EOC.
   b) Within one-half hour, communicate to the City ECC and/or the
      Police RACC, or other Precinct Command Post, the Precinct Per-
      sonnel Status Report, as well as the damage assessment and situ-
      ation.

2. If normal communications are disrupted:
   a) Attempt to communicate with the district cars using the precinct
      base station, or on a car-to-car basis.
   b) Within one-half hour, or as soon as possible, dispatch your Dis-
      trict Personnel Status Report, damage assessment and situation
      estimates by messenger to the location of the Police RACC.

3. The Police RACC will be established at a designated location.
   d. Specifically:
      1. Conduct a roll call to account for all on-duty precinct members.
      2. Establish a command post at the precinct and begin Incident Com-
         mand System (ICS).
      3. Start a unit log (ICS Form 214). Assign sufficient staff to maintain the
         log and to monitor available communications, including commercial
         radio and television.
      4. Remain at the command post to facilitate damage assessment until
         the extent of damage and casualties is known and has been commu-
         nicated to the Police RACC.
      5. Telephonically survey or dispatch members to assess and report dam-
         age to pre-designated critical facilities in the precinct. See Problem
         Solving Resource Guide for facility addresses and phone numbers.
      6. Instruct members to report damage to the station (via telephone or in
         person), not to BOEC. BOEC will give similar instructions in an all-
         units broadcast.
      7. Attempt to establish communication with:
         a) BOEC.
         b) City ECC.
         c) Police RACC.
         d) Precinct Command Post.
         e) Any other unit that may be able to facilitate communications.
      8. Establish a liaison with the Fire Bureau. Assign a liaison to the Fire
         EOC to coordinate operations.
         a) Establish a mobilization response plan for implementing opera-
            tional periods (shift schedules) and ensure that all personnel are
            familiar with the plan.
         b) Establish a plan for the task of determining the status of Emer-
            gency Transportation Routes within the areas of your precinct.

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c) Establish and maintain a current list of staging areas, and assign a staging officer to each.
d) Establish and maintain a current list of local private vendors.
e) Ensure personnel rosters are current.
f) Ensure all supplies necessary for the operation of the Precinct Command Post are available.
g) Ensure that this DIR is routinely briefed to all personnel and that Precinct Command Post training occurs regularly.
h) Aggressively encourage personnel to take an interest in their own home earthquake preparedness.

9. The City ECC will establish and provide staff for volunteer staging areas.

10. If members are cut off from news of the welfare of their families, select a few members to assemble the addresses of all members on duty in the command. Dispatch them on a route around the region to carry news of the welfare of the members to their homes, obtain information on the welfare of the members’ families, and return.

Responsibilities of Units other than Precincts (785.00)
   a. Assemble members and determine who is present.
   b. Organize on-duty members, and those off duty who arrive on their own, into teams, including supervision.
   c. Report the availability of teams to the Police RACC, if possible. If not in communication with the Police RACC, report to the nearest precinct for assignment.

Off-Duty Personnel (785.00) Refer to DIR 762.00.

Hazardous Situations (785.00)
   A major earthquake can cause many hazards that continue to threaten life after the earthquake has passed. The following problems should be approached cautiously:
   a. Gas leaks can cause explosions and suffocation.
      1. Members should cordon off, or direct citizens to cordon off, the area around the gas leak, being careful not to move close enough to the source to be overcome.
      2. Members should try to determine and report the following information:
         a) Type of gas involved (poisonous, flammable, suffocating).
         b) Amount of gas released.
         c) Size and type (residential, etc.) of area involved.
         d) Number of persons affected (overcome, dead, evacuation neces-
POLICY AND PROCEDURE

Evacuation is a City Emergency Coordination Center (ECC) responsibility. The decision to evacuate will depend on the nature of the emergency and a careful consideration of the dangers inherent in an evacuation. In some instances, such as hazardous materials spill, a small-scale evacuation may have to begin at once.

790.00 EVACUATION PROCEDURE

Index:  Title; Disaster – Evacuation
Refer:  DIR 741.00 Chemical and Biological Agents/Weapons
        DIR 761.00 Hazardous Materials Incidents
        DIR 785.00 Earthquake Procedures
        DIR 763.00 OPCON
        City Code 14C.30.010 Authority to Restrict Access to Certain Areas
        Portland Emergency Notification System (PENS)

POLICY (790.00)

Evacuation is a City Emergency Coordination Center (ECC) responsibility. The decision to evacuate will depend on the nature of the emergency and a careful consideration of the dangers inherent in an evacuation. In some instances, such as hazardous materials spill, a small-scale evacuation may have to begin at once.
Any member of the rank of sergeant or above has the authority to order such an evacuation pursuant to City Code 14.24.170. If a large-scale evacuation is required, full-scale activation of the City Emergency Operations Plan with a declaration of a local emergency under Municipal Code 14.24.070 is required.

**PROCEDURE (790.00)**

Members have the responsibility to provide the incident supervisor with the following:

a. A situation estimate.

b. Control of emergency vehicle ingress/egress routes, evacuation routes, and evacuation bus ingress/egress.

c. Establishment and maintenance of the perimeter and containment around the closed area (limited access or no access).

d. Door-to-door communication to persons within the involved area, warning them to leave, and directing them to an initial evacuation center, if possible.

e. Interior patrol of the evacuated area, if safe.

f. The Mayor has the sole authority for large scale evacuations. The Mayor will make this decision with the assistance of the City ECC. The Bureau Incident Supervisor (IS) may relate needs and parameters to the Mayor and City ECC in a major evacuation.

**Duties Of First Member On The Scene (790.00)**

The first responding member who determines that a need to evacuate exists will:

a. Communicate all pertinent information, including the following, to BOEC:
   1. Location of the emergency.
   2. Nature of the hazard.
   3. Size of the area involved (actual and potential).
   4. Area to be evacuated.

b. Request a supervisor to respond.

c. Request additional units to secure immediate area of the hazard.

d. If the rescue of persons is imperative, quickly move endangered persons to safety if it can be done without undue hazard to the member.

e. Recommend safe routes of entry for responding units.

f. Brief first-arriving supervisor on incident.

**Duties of First Supervisor On Scene (790.00)**

a. If no other agencies are involved, implement the Incident Command System (ICS) to manage the incident, and acquire the staff to support the incident.
b. If another agency is in command on scene, consult with the incident commander to determine the necessity and scope of evacuation.
c. Request that appropriate specialized teams respond (HazMat, SERT, EDU, etc.) if they are not already on the scene.
d. Notify Bureau Command.
e. Request the PIO respond for media coordination.
f. Establish a command post if one has not already been established and locate it outside the intended evacuation area.
g. Establish an inner and outer perimeter for the incident.
h. Brief Police Command upon their arrival on scene.

Duties of Police Incident Supervisor (790.00)

a. Determine area to be evacuated.
b. If area to be evacuated is greater than a localized tactical situation, the Portland Office of Emergency Management should be notified to open the City ECC at BOEC. Personnel there can coordinate reception, shelter, and transportation for evacuees, prepare and broadcast an Emergency Broadcast System (EBS) message and activate other agencies and volunteers to assist.
c. If the City ECC is activated, also activate the Bureau’s RACC, determining the location and support staff needed.
d. Determine number of additional members needed both for immediate control of the incident and for relief during the course of the incident.
e. Determine appropriate level of Bureau mobilization (on duty, call-up, or mutual aid) and obtain command authorization, if necessary.
f. Establish a radio channel for the incident with a dispatcher, separate from the precinct operational channel.
g. Appoint a staging officer and establish a secure staging area for responding officers, vehicles, and equipment.
h. Evaluate adequacy of established perimeters and containment.
i. Determine whether the evacuation will be voluntary or mandatory. Mandatory evacuation is permissible under City Code 14.24.170 Authority to Restrict Access to Certain Areas. This applies to local evacuations only. The Mayor has the responsibility for ordering large scale evacuations.
j. Cause an official evacuation statement to be created for members doing door-to-door contact, EBS broadcast, and PENS notification system, including the following:
   1. Type of incident, expected duration and available time to evacuate.
   2. Recommended actions to be taken by the public.
   3. Implications of not following recommended actions.
   4. Evacuation route(s).
   5. Neighborhood congregation point for people needing transportation.
6. Reception/shelter point.
7. How citizens should mark their homes as evacuated.
k. Advise City ECC of the need for transportation of evacuees.
l. If this is a localized evacuation, divide the evacuation area into sectors; assign teams to evacuate specific sectors, beginning at the incident and moving outward from it.
m. Advise team supervisors to:
   1. Use door knocks or police vehicle public address systems, as appropriate.
   2. Make a record of each contact and no answer. Direct members to ask neighbors about deaf or infirm persons who may not respond to a door knock.
   3. Direct evacuees to an initial evacuation center outside of the involved area. Request that they register with shelter personnel upon their arrival.

n. Ensure that unauthorized persons are prohibited from entering the evacuation area(s).
o. Assign units, having proper protective equipment, to patrol the interior of the evacuated area so member safety can be ensured.
p. Arrange for feeding and relief of members, as necessary, and request, through City ECC, housing for relieved or resting officers.
q. After the emergency event has ended (if a localized evacuation):
   1. Allow the early return of persons needed to staff essential services and to open vital businesses when this can be done safely.
   2. Direct a general return to the evacuated area, when possible.
   3. Direct the PIO to advise the public and the media of the termination of the evacuation order and the lifting of the security perimeter.

Hazardous Materials Incidents (790.00)
The following evacuation procedures are unique to hazardous materials incidents:
a. The inner perimeter (Hot Zone) surrounds the contaminated area. Access through this Hot Zone line will be controlled by PFB. Access will be restricted to one location. Entry will be restricted to essential personnel wearing proper protective clothing and apparatus. Police, properly equipped, may enter the Hot Zone, if necessary to render assistance or process a crime scene.
b. The Warm Zone is the area which may become endangered if the contamination emergency is not controlled, or if the wind shifts direction. Members may, upon the advice of PFB, accomplish a precautionary evacuation of the Warm Zone. Entry into the Warm Zone will be controlled by members and restricted to only one location. Members entering the Hot or Warm Zone will be required to wear proper protective clothing and apparatus.
Zone will document their possible exposure to hazardous material in the Incident Injury Log, and in their respective RU Injury Log.

c. Members who are in the Hot Zone for any length of time will contact PFB for proper de-contamination and document their exposure to the hazardous material.

810.00  ARREST, PERSONS EXEMPT

Index: Title; Diplomatic Immunity
Refer: U.S. Constitution, Article 1, Sec. 6, Clause 1
Diplomatic Relations Act, 09/30/78
Vienna Convention of Diplomatic Relations of 04/18/61
DIR 810.10  Arrest of Foreign Nationals

PROCEDURE (810.00)

Directive Specific Definition
Exempt From Arrest: An individual who will not be detained at the time an arrest is justified (does not mean a person will not have to answer for a crime). It is the opinion of the State Department that stops for routine traffic infractions and their resultant citations are neither arrests nor detentions.

Diplomatic Immunity (810.00)

a. The head of a diplomatic mission or a member of his/her diplomatic staff is immune from arrest (civil, criminal or administrative).
b. The person claiming diplomatic immunity from arrest has the burden of proof to establish identity entitling immunity.
c. Vehicles with foreign consul license plates cannot be cited for parking violations. If the vehicle is a traffic hazard, it can be towed to another location.

Members of Congress (810.00)

Members of the U.S. Congress, while in attendance at the session of their respective houses, or while traveling to or from the session, are exempt from arrest in all cases except treason, felony or breach of the peace.

State Legislators (810.00)

State senators and representatives, while going to, coming from, or attending the legislative assembly, are exempt from all arrests except treason, felony or breach of the peace. They also are not subject to any civil process for 15 days before the beginning nor during the session of the legislative assembly.
Electors (810.00)
Electors are exempt from arrest while going to, coming from, or in attendance at the polls in all cases except treason, felony, or breach of the peace.

Member Responsibilities (810.00)

a. When a person claims immunity, members should advise a supervisor of the situation as soon as possible.
b. Members may, if necessary, take the person to a precinct to establish immunity.
c. Based on the circumstances, members are entitled to decide whether or not the person is entitled to immunity.
d. Members will write a report if an above exempt person is observed in violation of a law. A copy of the report will be forwarded through channels to the Chief of Police.
e. Members shall obtain a warrant for the person, except for foreign ambassadors, foreign ministers or legation attaches, after the exempt-from-arrest privilege has expired.

810.10 ARREST OF FOREIGN NATIONALS
Index: Title; Foreign Nationals; INS; Immigration
Refer: Title 8, US Code 1357(d) Detainer of Aliens for Violation of Controlled Substance Laws
ORS 181.850 Enforcement of Federal Immigration Laws
ORS 475.991 Unlawful Delivery of Imitation Controlled Substance
ORS 475.992 Prohibited Acts Generally (Controlled Substances)
ORS 475.999 Manufacture or Delivery of Controlled Substances within 1,000 Feet of School
DIR 631.30 Cooperation with Other Agencies
DIR 810.00 Arrest, Persons Exempt
Detention of Foreign National Checklist (Operations Branch)
INS Referral for Further Investigation Form (Operations Branch)
US Department of State Website

POLICY (810.10)

It is the policy of the Bureau to investigate allegations of criminal conduct by suspects regardless of race, national origin or citizenship status. In such investigations, the Bureau will work with all federal, state and local law enforcement agencies.

The Bureau will comply with the Notification of Foreign Consulates Protocol of the Vienna Convention on Consular Relations and/or customary international law when individuals of a foreign nationality are arrested or otherwise detained.
PROCEDURE (810.10)
Immigration Issues: Refer to ORS 181.850.

Arrest of Foreign Nationals (810.10)
Members will follow DIR 810.00 when dealing with individuals exempt from arrest. The burden of proof will rest with the person who claims diplomatic immunity from arrest by establishing identity that entitles them to immunity. The member may, if necessary, take the person to an appropriate location to establish immunity. Exempt for arrest refers to the status of an individual who will not be detained at the time by an arrest (this does not mean a person will not have to answer for a crime). Examples of exempt person are:

a. The head of a diplomatic mission or a member of his/her diplomatic staff.
b. Vehicles with foreign consul license plates.
c. Members of the U.S. Congress and the State Legislature while in session or travelling to attend the session.

Whenever any foreign national (having allegiance to a foreign state or sovereign) is taken into custody, the arresting member or supervisor will see if notification of the individual’s country is mandatory (see Mandatory Consular Notification Countries). It is the opinion of the State Dept. that stops for routine traffic violations and resultant citations are not arrests or detention for the purposes of notification.

a. No mandatory notification: Advise the individual without undue delay of his/her right to have his/her country notified. If requested, inform the nearest consulate (the residence or headquarters of a foreign consul) or embassy (the official residence and offices of an ambassador of a foreign state or sovereign) as soon as practical and before the end of shift.
b. Mandatory notification: Inform the nearest consulate or embassy as soon as practical and before the end of shift. The individual must then be advised that his/her consul was notified.

Members must complete the Detention of Foreign Nationals Checklist and attach to their report.

Foreign consular officials have the right to visit their arrested/detained nationals, subject to local laws and regulations regarding access to detained persons.

Members will arrange for an Oregon State Police courtesy notification (during business hours) of any arrest/detention made to facilitate any international contact through INTERPOL channels.

Additional resources are the Asst. Legal Advisor for Consular Affairs of the State Dept. and the Command Center of the Bureau of Diplomatic Security.

Working with Immigration and Customs Enforcement (ICE) (810.10)
Member Responsibilities
Members will not assist ICE unless a crime is committed or in case of an emergency.
a. Investigations: Subject to approval by the RU manager, on a case-by-case basis, members may work jointly with ICE (this may include riding in the same vehicle) to investigate crimes:
   1. To further the investigation of any felony that has been committed.
   2. To investigate and make arrests for any controlled substance offense.

b. Back-up or Cover:
   1. ICE may request members provide assistance during a mission to enforce federal immigration laws. Request for such services, except in an emergency, must be made through and approved by the appropriate RU manager.
   2. In these situations, members will provide only peacekeeping or protective services to ICE. Peacekeeping means to provide a presence to ensure no offense is committed by others while ICE performs its lawful duties. If possible, members should speak the language of the people being contacted, investigated or detained by ICE.

c. Information Exchange: Members may exchange information with ICS in order to further the investigation of any federal, state or local crimes (i.e., obtaining suspect information or identifying witnesses/victims of a crime).

d. Arrests/Referrals:
   1. Title 8 of the U.S. Code 1357(d) mandates that all law enforcement officers/agencies must notify the ICE when an individual is arrested for a controlled substance offense whom they reasonably believe may not have been lawfully admitted into the U.S.
   2. When a person is arrested for a felony or a controlled substance offense and there is a reasonable belief the arrestee may not have been lawfully admitted into the U.S., the member will refer the arrestee to ICE by completing an ICE Referral for Further Investigation form (RU managers may assign this referral responsibility to someone other than the arresting member).
   3. Referral to ICE of persons arrested for committing state and local offenses other than felonies or controlled substance offenses will be the responsibility of the District Attorney upon conviction.
   4. The ICE Referral form and the Custody Report face sheet will be faxed to ICE Portland.
   5. Prior to making photocopies for booking purposes, members will mark ICE in large capital letters in the space at the top of the Custody Report. The ICE Referral form will then be attached to the Custody Report and forwarded to Records. Each RU making referrals must create/maintain a file to retain copies of all Custody Reports and Referral forms that are faxed to ICE.
6. Members completing the ICE Referral for Further Investigation form will make every reasonable attempt to obtain the arrested person’s true name, date of birth and other identification numbers such as PPDS, MCL, SID, FBI numbers and INS case number or “A” number by making the appropriate computer inquiries (PPDS, Oregon and FBI Criminal Histories, LEDS and NCIC). SID and/or FBI number(s) should be placed on the Custody Report face sheet in the section marked for other I.D.

Forensic Evidence Division (Forensics) Responsibilities (810.10)

Forensics will make every attempt to properly identify the arrested person through the Western Identification Network (WIN). Forensics will search all additional AFIS systems as needed in the identification of those subjects whose Custody Report is marked ICE.

Mandatory Consular Notification Countries (810.10)

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*Mandatory for nonpermanent residents only.

**Passports may still be in use.

Arrangements with these countries provide that U.S. authorities will notify responsible representatives within 72 hours of the arrest or detention of one of their nationals.

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When Taiwan nationals (who carry Republic of China passports) are detained, notification should be made to the nearest office of the Coordination Council for North American Affairs, the unofficial entity representing Taiwan’s interests in the United States.

USSR successor states covered by this agreement are:
- Armenia
- Estonia
- Latvia
- Lithuania
- Russian Federation

British dependencies are also covered by this agreement. They are:
- Anguilla
- British Virgin Islands
- Bermuda
- Montserrat
- Turks and Caicos Islands
Their residents carry British passports.

820.00  ARREST, JURISDICTION
Index:  Title
Refer:  ORS 133.310  Authority of peace officer to arrest without warrant
ORS 161.505  Offense, described
DIR 630.10  Driving Responses
DIR 860.30  Citation-in-Lieu-of-Custody

PROCEDURE (820.00)
Directive Specific Definitions
- Fresh pursuit: A chase immediately after the crime and keeping in close proximity of the fleeing suspect.
- Jurisdiction: The limits or territory within which police authority may be exercised.
- Made fast: Either fixed fast to a dock by a line, anchored in the harbor, or a dead ship being towed.

Arrests Inside the City, Inside of Multnomah County (820.00)
An arrest may be made by members anywhere inside the city limits, except on property under exclusive Federal jurisdiction. Persons taken into custody by members in the City or Multnomah County, will be taken to MCDC for booking.
Fresh Pursuit (820.00)

If a member is in fresh pursuit of a person whom the member has seen commit an offense, or has probable cause to arrest pursuant to ORS 133.310 (A), the member may pursue that person anywhere in the State (see DIR 630.10). If the pursuit leads into Washington State, it must be discontinued, unless the offense is a felony.

Traffic Violations (820.00)

A member may issue a citation for a traffic violation at any place inside or outside the City when the traffic violation is committed in the member’s presence. Outside the City, the defendant will be cited into the county of occurrence.

Federal Property, Exclusive Federal Jurisdiction (820.00)

Members not in fresh pursuit wishing to make an arrest or serve a warrant on property under exclusive Federal jurisdiction shall:

a. Contact someone in authority in the U.S. Marshal’s Office or the Federal Protective Service and have them make the arrest.

b. Instruct the Federal officer to obtain the complaint. In these instances, the Federal employee making the arrest shall accompany the member to the designated booking facility and shall be listed jointly with the transporting member on the booking report.

c. Prisoners will be booked into MCDC.

Other Federal Property (820.00)

a. Members responding to calls or making arrests on or in other Federal property have full police authority to enforce state and local laws and do not require the assistance of a Federal officer.

b. All violations of Federal statutes covering criminal activities committed in federally owned buildings will be investigated by the Federal Protective Service.

c. Physically or mentally ill persons will be processed in the present manner without regard to Federal jurisdiction.

d. To serve a warrant on a Federal employee in any location noted in the Federal Properties form, the Federal Protective Service will be called to provide jurisdictional assistance as needed.

The U.S. Veterans Hospital is not under Federal control and is subject to full city jurisdiction in all circumstances.

Arrests on Vessels in Harbor (820.00)

All vessels, once they have been made fast in the river within the City limits, must abide by the city harbor regulations. A vessel underway, before or after leaving the dock, is under jurisdiction of the U.S. Coast Guard.

On domestically owned and operated merchant ships, local police powers are
complete. Local police power may be exercised on foreign owned and/or operated ships only if the offense committed on the ship affects the peace or dignity of the state or the tranquility of the port (refer: State v. Hatley, 34 OR APP 745, 579 P2d 878 (1978)).

An arrest on any non-commercial marine vessel may be made in the same manner as one made on private property.

**Arrests Out of State (820.00)**

A police officer from the state where the stop is made will be called to the scene. The officer must either make the arrest on probable cause or handle it as a citizen’s arrest with the PPB member as the complainant. The defendant will be processed and booked in the state where arrested.

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**825.00 DOMESTIC VIOLENCE, ARRESTS AND RESTRAINING ORDERS**

Index: Title; Arrests; Civil Standbys; Restraining Orders

Refer: ORS 107.705 Other Family and Household Relationships, defined
ORS 133.055 (2)(a) Mandatory Arrest for Domestic Violence
ORS 133.055 (2)(b) Not Required to Arrest Both Parties
ORS 133.055 (2)(c) Requirement to Determine Primary Assailant
ORS 133.055 (3) Requirement to Use All Reasonable Means to Prevent Further Abuse From Family or Household Members
ORS 135.230 Domestic Violence Relationships Applied to Conditional Release Restrictions
ORS 135.260 (2) Prohibit Contact of Victim on Conditional Release for Domestic Violence
ORS 163.160 (3) Assault IV
ORS 163.190 Menacing
DIR 825.10 Domestic Violence, Member Involved
Notice of Legal Rights and Remedies for Victims of Domestic Abuse (FSD)

**PROCEDURE (825.00)**

**Domestic Disputes**

a. All domestic disputes require a two-member minimum response. Members will not be allowed to advise on cover.

b. A member shall arrest and take into custody the offender if the dispute involves family or household members and responding members have probable cause to believe one of the persons has either:
   1. Assaulted the other person.
   2. Placed the other person in fear of imminent serious physical injury.
3. Household and family members are spouses, former spouses, adult persons related by blood, marriage or adoption, persons of opposite sex residing together or who formerly resided together, persons cohabiting, or who have cohabited, persons who have been sexually intimate with each other within two (2) years (including same sex relationships), and persons who are unmarried parents of a child.

c. If the suspect has left the scene, the members shall make a reasonable effort to locate, arrest and take the subject into custody.

d. Members will not issue citations in lieu of custody for any domestic violence (DV) offense.

e. Members shall make every effort to determine who is the primary assailant or potential assailant by considering, among other factors:
   1. The comparative injuries inflicted or the seriousness of threats creating fear of physical injury.
   2. If reasonably ascertainable, the history of domestic violence between the persons.
   3. Whether any alleged crime was committed in self defense.
   4. The potential for future assaults.

f. Members shall provide each person immediate notice of the legal rights and remedies available.

**Felony Assault IV (825.00)**

In Assault IV situations where minor children or stepchildren of either the assailant or victim, or children residing within either household, were present during, or witnessed, the assault, or the assailant has a prior conviction for assaulting the same victim, or the person has previously been convicted at least three times under ORS 163.160 or equivalent laws, as defined by ORS 135.230, in this or any other jurisdiction, members shall charge the assailant with Assault IV - Felony, ORS 163.160. Witnessed in this section is the assault being seen or directly perceived in any other manner by a child.

The reporting member will complete a case envelope, in addition to required reports. The case envelope will be delivered to the Detective Division prior to 1000 hours on the same business day for crimes occurring prior to 0400, and by 1000 the following day for crimes occurring after 0400. The Detective Division is responsible for the Assault IV-Felony distribution, once the completed case envelope is received.

**Photographic Evidence (825.00)**

Visible injury is evidence of the crime and officers are expected to preserve it. This can be done with the use of digital cameras, but this is not meant to be a replacement for call outs of, or follow ups by, Forensics Evidence Division (Forensics). Criminalists are to be called when 35 mm photographs, fingerprints, or
other forensic evidence is necessary for documentation. The reporting member will contact Forensics, upon any referral, with information about the incident.

**Domestic Dispute Mandatory Reporting (825.00)**

In all cases of domestic disputes a police report will be written and submitted prior to the end of the member’s shift. Under no circumstances, even if the allegations appear unfounded, will members give BOEC a coded response in lieu of writing a report. In cases where there has been no crime committed, members will complete a Special Domestic Violence Report. Members will complete an Investigation Report and a Family Abuse Supplemental Report when responding to domestic dispute calls where probable cause exists that a crime has occurred. Crimes such as harassment or vandalism shall be documented on an investigation report. The Special Domestic Violence Report is only for situations where no crime occurred.

**Restraining Orders (825.00)**

The Family Abuse Prevention Act provides for restraining orders as a civil means to protect the abused from the abuser. Petitioners for restraining orders do not need an attorney to file for a restraining order. Restraining orders do not cost anything to obtain for the petitioner.

A petitioner must be a person who has been either assaulted or threatened with violence by a person who is in a household relationship with the victim within the past 180 days. If the respondent has been out of town or in jail, the 180-day time limit can be extended by the courts.

A petitioner cannot serve his or her own restraining order. A restraining order can be served by:

a. Sheriff’s Office civil deputy.

b. Police officer.

c. Oregon resident 18 years of age or older.

Restraining orders can be confirmed in LEDS/NCIC.

In situations where the order has not yet been served and both the petitioner and respondent are present, members on the scene shall assist by personally serving the order or ensuring the order is served by a third party, if this can be accomplished in a timely manner. The petitioner copy may be served upon the respondent if the respondent copy is unavailable. Should the respondent refuse to comply with the restraining order before the order can be entered into LEDS, the order can be enforced to protect the petitioner.

Once the restraining order has been served, it becomes the responsibility of the person serving the order to deliver a true copy of the affidavit of proof of service. This form states that personal service of the petition and order was served on the respondent. MCSO Civil/Records Division needs a copy of the petition and a true copy of the order for computer entry. If a member serves a restraining order, deliv-
ery must be as soon as practical, but no later than the completion of the member’s normal work shift. Members will deliver the restraining order to the MCSO Civil/Records division. The current address and phone number is listed in the Problem Solving Resource Guide.

Violation and Enforcement of Restraining Orders (825.00)

Restraining orders contain different prohibitions for each respondent. If possible, members should call the issuing county to confirm what actions/contacts the respondent is ordered from committing. If this is not possible, members should make a good faith effort to enforce the order.

Only the respondent is restrained by the order. A petitioner may initiate contact with the respondent. However, should the respondent have the contact, the respondent, not the petitioner, is in violation of the order and subject to arrest.

Restraining orders can mandate the respondent not have any firearms in their possession. Respondents are in violation if they possess a firearm, even if the petitioner is not present or involved.

Members may be requested to take control of firearms by either the respondent or petitioner, pursuant to the restraining order. When this request is made and there has not been violation of the restraining order as of that time, the firearms may be taken as safekeeping. Note on the Property Evidence Receipt the relevant restraining order number, and note the owner/respondent cannot have the weapons released to them pursuant to a restraining order. If firearms are part of a violation of the restraining order, they will be taken as evidence since safekeeping no longer applies.

When probable cause is established that a restraining order has been violated, members on the scene shall arrest and take the violator into custody, if present. If the violator has left the scene, members shall make a reasonable effort to locate and arrest and take the violator into custody.

Members will not issue citations in lieu of custody for violation of a restraining order.

The Federal Violence Against Women Act allows petitioners holding restraining orders issued in another state to be entitled to full enforcement of the order for violations occurring within our jurisdiction. If the order is not entered in an accessible data base, LEDS, NCIC, etc., members need to make a good faith effort to verify the copy of the order the petitioner has is a true copy and the respondent has been served with that order.

A violation of an out-of-state restraining order will be enforced in the same manner as an in-state restraining order. Once probable cause is established, the violator will be arrested. If possible, the member should obtain a copy of the true (original) copy to be attached to the original reports. The report will be reviewed by the Multnomah County District Attorney’s Office for prosecution or referral to the U.S. Attorney’s Office.
Restraining Order Reporting (825.00)

The violation of a restraining order is a crime. This requires an Investigation Report to be filed when a violation is reported. The Supplemental Family Abuse Report will not be necessary, unless there is an additional domestic dispute associated with the prohibited contact.

Civil Standbys (825.00)

If there is a valid restraining order prohibiting the respondent from going to the petitioner’s residence, or having contact with the petitioner, and the respondent needs to get essential personal effects from the petitioner’s residence, the respondent may request a civil standby.

A civil standby will be coded a two-member, Priority 3 call by BOEC. Members assigned will not be dispatched to another call until the standby/move out is completed.

Responding members will meet the respondent at a neutral location and confirm with the requestor that there will be a maximum of 20 minutes allowed for the standby. The respondent may be referred to the restraining order under Essential Personal Effects. Articles that, the member is aware of, are in dispute will not be removed from the residence. The member may advise respondent to seek private legal advice as to the distribution of disputed property.

Members will accompany the respondent to the location. Prior to allowing the respondent inside the location address, members will ascertain if the petitioner will allow the removal of property. If the petitioner is uncooperative, the respondent will be instructed to seek private legal advice and obtain a court order to obtain the desired personal effects, and the respondent will be asked to leave the scene. Respondents who refuse to leave are subject to arrest for violation of the restraining order.

If the petitioner is not present, the member will not allow entry into the residence or the removal of property from the residence or location. The members will instruct the respondent that the restraining order is still in effect and the respondent should leave. The respondent may try again, when the petitioner is present.

A civil standby is intended only to facilitate the removal of essential personal belongings, which include, but are not limited to, clothing, diapers, medications, Social Security cards, birth certificates and identification. Personal effects belonging to children may be removed, if the respondent has custody of the child/children.

Follow Up Investigations (825.00)

The Domestic Violence Reduction Unit (DVRU) will perform follow-up on misdemeanor and non-measure 11 felony domestic violence reports based on criteria including lethality, likelihood of recidivism, the presence of children and the history of the offender. Officers are encouraged to perform follow-up and/or fax reports to DVRU on domestic violence crimes. Officers are required by this
directive to make a thorough initial investigation including interviews of witnesses and the collection of evidence. Officers should make a reasonable effort to locate and arrest suspects who have fled the scene prior to their arrival. The DVRU will work in conjunction with the Detective Division, if requested, on other felonious assaults stemming from domestic violence.

825.10 MEMBER INVOLVED DOMESTIC VIOLENCE
Index:  Title; Domestic Violence, Member Involved
Refer:  Title 18 § 922 Crimes and Criminal Procedure; Unlawful Acts
     Title 18 § 925(a) (1) Crimes and Criminal Procedure; Exceptions: Relief From Disabilities
     ORS 107.705 Other Family and Household Relationships Defined
     ORS 133.055(2a) Mandatory Arrest for Domestic Violence
     ORS 135.260(2) Prohibit Contact of Victim on Conditional Release or Domestic Violence
     DIR 341.00 Discipline Process
     DIR 343.00 Criminal Investigation of Police Bureau Employees
     DIR 825.00 Domestic Violence; Arrests, Restraining Orders

POLICY (825.10)

The Bureau considers domestic violence to be a very serious issue and will treat all reports of member involved domestic violence with a full and complete investigative process.

Domestic violence crimes have serious and long lasting detrimental effects. Members are not immune from becoming involved in domestic violence situations as either a perpetrator or victim. Members who have concerns about their behavior or display behaviors that raise concern are encouraged to seek assistance. Some available sources of assistance are a friend, supervisor, the Employee Assistance Program (EAP), or private mental health care provider.

Behaviors that may raise concern include, but are not limited to, frequent tardiness and absences, an increase in controlling behaviors, stalking and inappropriate surveillance activity, complaints from co-worker, unwarranted aggression and verbal abuse, increased use of physical force and/or injury.

Any Bureau member who reasonably suspects that an act of domestic violence has been committed by a Bureau member is required to report the incident through one of the following channels:
  a. Reporting member’s shift supervisor.
  b. Reporting member’s RU manager.
  c. Branch chief.
  d. Personnel Division manager.
e. Family Services Division (FSD) manager.

Members are authorized to make notifications outside their chain of command or to any of the above listed managers. Any manager who receives notification of a criminal complaint against a member will ensure the FSD manager is immediately notified. A disclosure on the part of any officer, intimate partner, or family member, to any Bureau member will be treated as an admission or report of a crime and shall be investigated both criminally and internally.

PROCEDURE (825.10)

Directive Specific Definitions

Domestic violence: Abusive behavior that is physical, sexual, and/or psychological, intended to establish control over a family or household member and is prohibited by law.

Household and family members: Spouses, former spouses, adult persons related by blood, marriage or adoption, persons co-habitating, or who have co-habitated, persons who have been sexually intimate with each other within two (2) years (including same sex relationships), and persons who are unmarried parents of a child.

Restraining orders: Any court order restricting or prohibiting a person’s contact with another person or persons, and/or restricting where and when a person may be at a location. Such an order may also result in restricting possession of firearms and ammunition. This includes, but is not limited to, Restraining Orders, No Contact Orders, Protective Orders, and Anti-Harassment Orders. This court mandated restrictions are designed to aid in the safety of the petitioner (person who files for the restraining order). In Oregon, the order is subject to appeal within thirty (30) days of being served. Once an appeal is requested the court must hear the appeal within twenty one (21) days, or within five (5) days of contesting a custody provision (not parenting time).

Reported Domestic Violence (825.10)

a. Member as victim situations:
   1. When the crime occurs within the Domestic Violence Reduction Unit’s (DVRU) jurisdiction, the DVRU will be responsible for the follow-up investigation.
   2. Responding Bureau officers shall notify their supervisor when they are at a scene where a member has been victimized by domestic violence. The supervisor shall contact the FSD manager who shall assign a response team to come to the scene to assist in the initial investigation. After regular office hours the FSD manager will be contacted through BOEC.
   3. When the crime occurs outside DVRU’s area of jurisdiction, the responding agency may contact DVRU for assistance.
4. When the FSD learns of an outside jurisdiction report of domestic violence, it will offer assistance to the investigating agency and serve as the liaison with that agency for the term of the investigation as appropriate.

5. Since domestic violence perpetrators are likely to know when and where the victim works, they commonly continue the harassing and victimizing behavior while the victim is at their place of work. When appropriate, RU managers may offer to adjust such things as works hours, workstations, and telephone contact numbers of domestic violence victims to prevent further victimization. When appropriate, this information shall be forwarded to the Personnel Division (Personnel).

b. Member as suspect situations:

1. When the crime occurs within the DVRU’s jurisdiction, the Investigations Branch chief will have the responsibility to assign the investigation of the reported domestic violence. This investigation will be complete, to include an interview with the suspected member.

2. Bureau officers arriving at a scene where a member has been accused/suspected of domestic violence or served with a restraining order shall notify the member’s supervisor as well as their own supervisor. The responding officer’s supervisor will respond to the scene and direct the initial investigation until the arrival of a DVRU supervisor. The patrol supervisor will contact the FSD manager who will assign an investigator to come to the scene. After regular office hours, the FSD manager will be contacted through BOEC. If BOEC is aware that the call involves a Bureau member, the call will be coded a priority 2 and a supervisor will be dispatched in addition to responding officers. Responding officers will request a supervisor of a higher rank than the involved officer regardless of the involved officer’s jurisdiction, if possible.

   a) If probable cause exists for a crime related to domestic violence, an arrest will be made at the scene, including harassment.

   b) If probably cause exists and the offender has left the scene, the on-scene supervisor will exhaust every reasonable means to locate the alleged offender.

   c) If the victim has left the scene, the on-scene supervisor will preserve any evidence at the scene and make every reasonable effort to follow through on the investigation, including proper notifications.

   d) In the event of an on-scene arrest, the FSD manager or his designee will seize all Bureau property including firearms.

   e) In the event of an on-scene arrest, the on-scene supervisor will
inquire whether the victim wants any additional firearms removed for safekeeping.

f) The FSD manager or his/her designee will offer the victim access to a domestic violence advocate.

g) The FSD manager will appoint a person to act as the victim’s point of contact within the Bureau. That contact, preferably a member of the command staff, will help keep the victim apprised of the investigative process and will ensure the Bureau’s compliance with this directive as well as relevant FSD/SOPs.

3. If officers determine that the suspect is an officer from an outside agency, they will notify their supervisor, who will respond and direct the investigation. The supervisor will contact the suspect officer’s agency and arrange for a contact. DVRU will respond at the request of the on-scene supervisor and conduct the investigation. The services of a domestic violence advocate will be offered to the victim and will be arranged through DVRU.

4. Sworn members arrested for a domestic violence crime or served with a restraining order will not be allowed to return to work until he/she has been cleared by a psychological threat assessment.

5. If a Bureau member is arrested as a result of involvement in a domestic violence incident, the member shall notify his/her immediate supervisor at the earliest possible time. The supervisor shall notify the RU manager and FSD manager. If the action is taken by an outside agency, the FSD supervisor shall contact the investigating agency to offer assistance and serve as a liaison to the investigating agency. If the investigating agency does not have access to victim services (i.e., DV advocate), a FSD representative will volunteer the use of a FSD domestic violence victim advocate.

6. The Investigations Branch chief shall be contacted as soon as possible by FSD regarding member involved domestic violence cases, and kept apprised as to the criminal proceedings.

Duty Status (825.10)

a. Ongoing criminal investigation: Members who are subject to a criminal investigation will have their duty status administered by Personnel, for the period of investigation and psychological threat assessment, in accordance with Bureau policies, member rights, and contractual requirements.

b. IAD investigation: Members who are subject to an IAD investigation will have their duty status administered by their RU manager and/or Personnel, for the period of investigation, in accordance with Bureau policies, member rights, and contractual requirements.
Restraining Orders (825.10)

Members who are subject to a restraining order shall notify their immediate supervisor at the earliest possible time.

Federal law prohibits any respondent (person who has had a restraining order served on them) from possessing firearms and ammunition (actual or constructive possession) if the restraining order bans such possession or he/she is found to represent a credible threat to the petitioner. There is a military and law enforcement exemption for sworn members, on-duty status only. However, a restraining order that bans the respondent’s possession of firearms and ammunition may still be subject to enforcement under state law, unless the respondent has received relief for that portion of the restraining order in state court.

Sworn members who have state liability of a restraining order restricting firearms and ammunition possession, and all non-sworn members subject to such a restraining order, shall not be allowed to work or be in areas where actual or constructive possession of firearms and/or ammunition is possible. If the officer/respondent is appealing a restraining order with firearm and ammunition prohibition, the officer may be placed on administrative leave or in a position where there is no contact with the public through the duration of the appeal.

Members, who are subject to restraining orders that have firearm and ammunition restrictions, shall ensure all firearms and ammunition are removed from their residence, Bureau locker, and any other location he/she would have actual or constructive possession of such items. This must be done immediately. If the restraining order is appealed, and as a result of that appeal, the firearm and ammunition restrictions of the restraining order are eliminated, or the restraining order is vacated, the member may have returned to his/her possession any and all firearms and ammunition that were removed.

If a sworn member qualifies for the federal exemption and does not have state liability of a restraining order banning firearms and ammunition possession, FSD will create a report covering the circumstances of the restraining order and forward the report, through channels, to the Performance Review Board (PRB) (See DIR 341.00 for membership of the PRB.). The PRB will make a recommendation to the Chief of Police regarding what accommodation, if any; the Bureau should make for the firearm restriction. If directed by the Chief of Police, the employee’s shift commander or designee will issue the officer’s duty firearm(s) and ammunition to him/her at the beginning of each work shift, and collect the firearm(s) and ammunition at the end of each shift. The firearm(s) and ammunition will be stored in a manner that does not allow actual or constructive possession by the officer when he/she is off duty. The Bureau will not facilitate or allow a sworn member to work under the federal exemption until he/she has been cleared by a psychological threat assessment. Since restraining orders are twelve (12) months in duration, and may be extended, duty status could include termination.

Members who have been arrested or convicted of a domestic violence crime
shall notify their immediate supervisor at the earliest possible time.

An annual check of every member’s law enforcement record, including, but not limited to CCH, shall be done by the FSD to check for domestic violence arrests, convictions and restraining orders. Any domestic violence arrest, conviction or restraining order found as a result of such a check will be forwarded to the appropriate RU manager, Personnel, and IAD.

Federal law prohibits persons convicted of a domestic violence misdemeanor from actually or constructively possessing firearms and ammunition. There is no exemption to this law. A member convicted of a domestic violence crime, whether or not it meets federal standards, shall be subject to discipline up to and including termination.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (825.10)
The FSD manager or designee will review officer reports and calls for service, and will conduct yearly law enforcement record checks for all Bureau members, making appropriate notifications as outlined in this directive.

830.00 ARREST WITHOUT WARRANT
Index: Title
Refer: ORS 133.055 (2)(a) Mandatory Arrests for Domestic Violence
ORS 133.310 Authority of Officer to Arrest Without Warrant
DIR 311.30 Off-Duty Responsibility of Officers
DIR 640.00 Identification Procedures
DIR 640.70 Fingerprinting and Photographing Juveniles
DIR 825.00 Domestic Violence, Arrests and Restraining Orders
DIR 840.00 Arrest, With Warrant
DIR 850.30 Juveniles, Custody
DIR 860.10 Traffic Citations and Arrests
DIR 860.30 Citation-in-Lieu-of-Custody
Victim/Complainant Information Form (Operations Branch)

PROCEDURE (830.00)
Arrest and Citations-in-Lieu-of-Custody Stemming from Criminal Actions
A sworn member may make a custody arrest of a person, without a warrant, if the officer has probable cause to believe that the person has committed any of the following:

a. Felony.
b. Misdemeanor.
c. An unclassified offense for which the maximum penalty allowed by law is equal to or greater than the maximum penalty allowed for a Class C misdemeanor.
d. Any other crime committed in the officer’s presence.
e. A violation of Restraining Order or Domestic Violence.

A member may make an arrest inside a place of privacy (a residence) if the member enters, or has entered, in a legal manner (i.e., consent, execution of a warrant, etc.). A member may enter a place of privacy without a warrant to effect an arrest if it can be shown that there is objective evidence, and the member holds a good faith belief that the suspect and/or evidence will be lost or there is a real risk to some other person’s safety if the member were to take the time to obtain a search warrant. If these circumstances do not exist, the member must obtain a search and/or arrest warrant, as appropriate, to authorize the entry and arrest.

A peace officer may arrest a person without a warrant when the peace officer is notified by teletype, radio, or other mode of communication by another peace officer of any state that there exists a duly issued warrant for the arrest of a person within the other peace officer’s jurisdiction.

Peace officers may also arrest a person without a warrant when notified of the existence of duly issued federal warrants.

Z- Cites and C-Cites (830.00)

a. Z-Cites should be issued, whenever possible, if the offense is a Misdemeanor or a violation. Misdemeanors and violations charges require separate Z-Cites; they cannot be on the same one.
b. C-Cites will be used whenever possible for Class C Felonies.

Procedures for Attempted PCS I and PCS II Charges (830.00):

a. All PCS I and PCS II charges that involve only residue quantities will be charged as Attempted PCS I or Attempted PCS II.
b. A C-Cite will be issued for attempted PCS I charges and a Z-Cite will be issued for Attempted PCS II charges.
c. Attempted PCS I charges will be cited to the Justice Center Courtroom #3, not more than 30 days from the date of arrest.
d. Attempted PCS II charges will be cited to the appropriate community court, not more than 30 days from the date of arrest.

Identification Procedures for Persons to be Issued C-Cites (830.00)

If the member has a reasonable doubt as to the true identity of the person, the member will follow the procedures outlined in DIR 860.30.

Escaped Prisoners – Authority and Means of Retaking (830.00)

If a lawfully arrested person escapes, the person pursuing may use any means and do any act necessary and proper as in making the original arrest.
**POLICY AND PROCEDURE**

**Arrest in Personal Quarrels (830.00)**

Members will not make arrests or issue citations in their own quarrels, nor those of their families or neighbors, except under grave circumstances (i.e., when the use of self-defense is justified). Members will notify the agency responsible for the jurisdiction in which the event is occurring in order that officers may be dispatched to investigate and take the necessary action.

**Off-Duty Arrests (830.00)**

If possible, off-duty sworn members should make an arrest when a crime is being committed in their presence, if life or property is threatened, or if the situation is of an emergency nature that cannot wait for the arrival of on-duty officers. Refer to DIR 311.30, Off Duty Responsibility of Officers.

Discretion should be used if the crime involves a dangerous situation (i.e., weapons and/or more than one suspect). If the member is not armed, has no assistance, and it is obvious under the prevailing conditions that the member will be incapable of handling the problem, the member should obtain as much information as possible and summon assistance.

**Arrest and Custody After a Citizen Makes the Arrest (830.00)**

Members will make certain that the arresting citizen signs, in the correct space, on the Custody Report (refer to DIR 860.30).

Members will take into custody and transport to the booking facility those arrested adults who are not issued citations. Juveniles arrested for felonies and Class A misdemeanors will be processed per DIR 640.70 and taken home or to the appropriate juvenile facility as outlined in DIR 850.30. Juveniles arrested for Class B and C Misdemeanors may be processed per DIR 640.70, taken home or to the appropriate juvenile facility as outlined in DIR 850.30.

Members will abide by all arrest procedures in the handling of citizen-arrested persons.

When the suspect is issued a citation or taken into custody for a misdemeanor or violation members shall advise the citizen (i.e., victim) that they must contact the District Attorney’s (DA’s) misdemeanor intake office to request that prosecution be pursued. To facilitate this contact process, members shall complete and issue a Portland Police Bureau Victim/Complainant Information Form, and explain it to the victim. If the suspect was lodged at the Multnomah County Detention Center (MCDC), the victim will be instructed on the form to contact the D.A.’s office by 1100 hours the next business day. If the suspect was issued a citation, the victim will be instructed on the form to contact the DA’s office no sooner than seven business days after the arrest. Complainants in domestic violence cases must contact the DA’s intake office before 1100 hours the next business day to review and obtain a complaint.
835.00  EXCLUSION FROM CITY OF PORTLAND PROPERTIES

Index:  Title; Exclusions – Lobby Exclusions; Park Exclusions; Parking Garage Exclusions

Refer:  ORS 167.060 (10)  Definitions – Sexual Conduct
       ORS 164.245  Criminal Trespass in the second degree
       City Code 5.36.115  Designation of Persons In Charge for Purposes of Excluding Person From City Property
       City Code 20.12.265  Trespass
       City Ord. 175372 (D)  Exclusions From City Parking Garages
       DIR 830.00  Arrest Without Warrant
       DIR 835.10  Temporary Park Closures
       Notice of Warning or Exclusion From City of Portland Parks or Properties Form (Operations Branch)

PROCEDURE (835.00)

Parks and Landmarks

City Code 20.12.265 provides that sworn Bureau members and employees or agents of the Parks Bureau have authority to exclude from city parks and certain landmarks those persons who violate Park Bureau rules and regulations, city ordinances and state statutes.

Park exclusions are for a period of 30, 90 or 180 days, depending on the exclusion history of the suspect. A subject that violates an exclusion may be charged with Criminal Trespass II.

Criteria and procedures for warnings and exclusions may change based on legal rulings and will be reflected in updates issued by the City Attorney and provided to each member. It is the responsibility of each member to review the updates upon receipt.

Current criteria and procedures for issuing and enforcing warnings and exclusions may be determined by consulting current Tips and Techniques, precinct legal reference manuals, the precinct deputy attorney liaison and/or other members.

Portland Police Bureau Facility Exclusions (835.00)

City Code 5.36.115 provides that the Commissioner in charge may designate a person in charge of City property. The person in charge for Bureau facilities is the Chief of Police. The City Code further provides that the administrator of each City bureau will identify persons in charge for their facilities of responsibility. All sworn members have been designated as persons in charge of Bureau property and are authorized to effect arrests for trespass within lobby areas of police facilities and exclude persons from all Bureau property.

Persons who violate any of the Rules of Conduct for Portland Police Bureau Property while in or upon premises of the Bureau may be immediately ejected from the premises and excluded from all Bureau properties for a period of 180 days.
Criteria and procedures for warnings and exclusions may change based on legal rulings and will be reflected in updates issued by the City Attorney and provided to each member. It is the responsibility of each member to review the updates upon receipt.

Rules of Conduct for Portland Police Bureau Property (835.00)

a. No person shall violate any Federal, State, or City of Portland law.
b. No person shall enter or remain on Portland Police Bureau property for purposes other than to conduct legitimate business with the Bureau or one of its tenants.
c. No person shall enter or attempt to enter any secure portion of any Portland Police Bureau property that is not open to members of the general public, without authorization from the Bureau.
d. No person shall deface, damage, or destroy Portland Police Bureau property.
e. No person shall engage in conduct that degrades the appearance of Portland Police Bureau property, including but not limited to, depositing trash, spitting, urinating, or defecating upon the property.
f. No person shall engage in conduct that disrupts or interferes with the normal operations of the Portland Police Bureau or its tenants, or engage in conduct that disturbs employees or customers of the Bureau or its tenants, including but not limited to, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior.
g. No person shall engage in conduct that subjects or may subject employees or customers of the Portland Police Bureau or its tenants to annoyance or alarm, including but not limited to, conduct that involves the use of abusive or threatening language or gestures.
h. No person shall use Portland Police Bureau property or facilities for the purpose of housing or camping, including but not limited to, placing objects such as vehicles, bicycles, backpacks, carts, or other items in a manner that interferes with free passage.
i. No person shall refuse to obey any reasonable direction of a Portland Police Bureau employee.

City of Portland Parking Garage Exclusions (835.00)

City Ordinance 175372 designates the following as persons in charge:

a. Any peace officer as defined by Oregon law and any reserve officer of the Portland Police Bureau.
b. Any person providing security services in any City parking garage pursuant to any contract with the City or with any person, firm, or corporation managing City parking garages on the City’s behalf.
c. Any person specifically designated in writing as a Parking Garage Officer.
by the Commissioner or the (bureau) Director.

Persons who violate any of the Rules of Conduct for City parking garages while in or upon City garage property may be immediately ejected from the premises and excluded from all City parking garages for a period of 180 days. The Rules of Conduct will be posted in all City parking garages. Garage addresses are listed on the Notice of Exclusion form.

**Rules of Conduct for City of Portland Parking Garages (835.00)**

a. No person shall violate federal, state, or City law.
b. No person shall enter or remain for any purpose other than to park or retrieve a motor vehicle or do business with a City parking garage retail tenant.
c. No person shall possess any weapon or any similar instrument that can be used to inflict injury upon a person or damage to property, except to the extent permitted by Oregon law.
d. No person shall use City parking garages for the purpose of housing or camping, including but not limited to, sleeping, bathing, cooking, or use as a restroom.
e. No person shall deface, damage, or destroy City parking garages.
f. Unless authorized by the City of Portland, no person shall post or place on cars any handbills, flyers, or posters of any kind within City parking garages.
g. No person shall engage in sexual conduct as defined by ORS 167.060 (10).
h. Other than at City of Portland authorized events, no person shall possess an open container of alcohol or consume alcoholic beverages.
i. Other than at City of Portland authorized events, no person shall play or use amplified or audio equipment at a level that disturbs others.
j. Other than at City of Portland authorized events, no person shall participate in parties, rave parties, or other similar gatherings.
k. No person shall use City parking garages and/or their structures and fixtures, including but not limited to, walls, railings, banisters, stairs, or ventilation fixtures, in ways they were not intended to be used, including but not limited to, sitting, standing, lying kneeling, skating, or skateboarding.
l. No person shall smoke or carry any lighted smoking instrument while in the elevator or any enclosed portion of City parking garages.
m. No person shall engage in conduct that disrupts or interferes with normal operations of City parking garages, or any tenant of a City parking garage, or that disturbs employees or patrons of City parking garages, including but not limited to, conduct that involves the use of abusive or threatening language or gestures, conduct that creates unreasonable noise, or conduct
that consists of loud or boisterous physical behavior.

n. No person shall interfere with free passage of patron or employees of City parking garages, including but not limited to, placing objects such as bicycles, backpacks, carts or other items in a manner that interferes with free passage.

o. No person shall refuse to obey any reasonable direction of a Parking Garage Officer.

835.10 TEMPORARY PARK CLOSURES

POLICY (835.10)

Park closures will be instituted under this city ordinance only in those instances when the situation is beyond the control of available police resources to manage by arrest or exclusion of individuals. The situation must be serious and widespread before a park closure can occur.

PROCEDURE (835.10)

Members (as well as park officials) have the authority to close any city park, or any part thereof, if one or more of the following conditions exist in that park:

a. Life or property appear to be endangered and other means cannot reasonably be used to eliminate the danger.

b. The overcrowding of persons or vehicles has occurred so that necessary access for emergency assistance or emergency vehicles is unavailable.

c. Park property or other property located near the park reasonably appears to be endangered.

d. A hazardous or physically offensive state exists and is caused by sufficient numbers of persons so that other means of control cannot reasonably be used to eliminate the condition. Examples of these kinds of widespread behavior and conditions are:
   1. Loud and unreasonable noise.
   2. Fighting.
   3. Violent, tumultuous or threatening behavior.
   4. Abusive, obscene language or gestures.
   5. Violation(s) of criminal offenses or ordinances.

e. Other conditions which exist where the safety of persons or property cannot reasonably be assured.

When it has been determined that a park closure is necessary in the interests of public health, peace and safety, members shall relate the facts of the situation to a
supervisor and obtain specific authorization to enforce a park closure. The supervisor who authorizes the closure shall notify the precinct commander of the closure.

The precinct commander shall then notify the Chief of Police, through channels, of the closure and circumstances. The precinct commander shall also notify the Commissioner of the Portland Parks and Recreation (Parks) and the Supervisor of Parks that a decision has been made to close a park. Notification of Parks may be achieved by contacting BOEC and asking for a Parks Crisis Management Team and by leaving a voicemail message for the Parks Commissioner and the Parks Director. The Parks Operations phone number is available in the Problem Solving Resource Guide. Following closure, the supervisor who authorized the closure will write a Special Report. This report will detail the circumstances, which caused the decision to close the park. A copy of this report plus any appropriate attachments will be directed through channels to Parks.

A park closure instituted under City Code 20.12.215 will remain in effect only for the length of time necessary to preserve the public health, peace and safety. In no event will a park closure extend beyond eighteen (18) hours without written approval of the Commissioners of the Police Bureau and Parks. Such a request for an extension will be made by the involved precinct commander, through channels.

835.20 POSTING/CLEANUP OF ESTABLISHED CAMPSITES
Index: Title; Campsite, Illegal-Cleanup of; Emergency-At Illegal Campsite; Abandoned Non-valuables at Illegal Campsite; Shelter for Displaced Campers
Refer: ORS 164.245 Criminal Trespass II
ORS 203.079 Required Elements of Local Government Policies on Camping by Homeless
OAR Chapter 734, Division 35 Highway Division
City Code 14A.50.020 Camping Prohibited on Public Property and Public Rights of Way
City Code 14A50.030 Sidewalk Obstructions
City Code 14A.50.050 Erecting Permanent or Temporary Structures on Public Property or Public Rights of Way
City Code 20.12, Parks and Recreation, Prohibited Conduct
DIR 660.10 Property and Evidence Procedure

POLICY (835.20)

The Bureau, in compliance with local and state law, will ensure the fair, courteous and equal treatment of all people when handling illegal campers. Members will interact with individuals experiencing homelessness with compassion and understanding. Members are encouraged to provide referrals to social services for those who need assistance. Members will seek to use humane strategies when addressing community livability concerns surrounding illegal camping.
PROCEDURE (835.20)

Directive Specific Definitions

Camp cleanup: Refers to any organized, prearranged operation by or on behalf of the Bureau to remove illegal campers, camps or camp structures from an established campsite.

Established campsite: Refers to locations where a camp structure such as a hut, lean-to or tent is set up for the purpose of maintaining a temporary place to live and exists on public property, other than a sidewalk or roadway. Bridges, overpasses or highway embankments do not by themselves constitute camp structures.

Personal property: Any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individuals from the campsite.

Member Responsibilities (835.20)

Members who post an established campsite will notify a supervisor. Members will ensure an established campsite is posted at least 24 hours prior to cleanup. Members will notify JOIN (the local agency that delivers social services to homeless individuals) as far in advance as is reasonably possible, but no later than at the time of the posting, in order to allow outreach workers the opportunity to visit the campsite and offer any available services to the campers.

Members will not arrest persons for violation of the camping law for an established campsite, within 200 feet of the 24-hour posted site, for a period of two hours prior and two hours after the posting. If feasible, persons who were not present when the established campsite was posted, will be given at least two hours notice to move. If possible a verbal notification will be made prior to conducting a cleanup of an established campsite. After the 24 hour posting period has concluded, arrests may be made without prior verbal notification.

Any 24-hour notice posted for removal of an established campsite will be written in both English and Spanish.

As required by ORS 203.079(b), anytime a member posts a 24-hour notice, the member will notify JOIN of the posting by calling the number listed in the Problem Solving Resource Guide. Members are encouraged to provide to campers as many resource referrals as possible.

The member will provide JOIN with the following information:

a. Location of the posting.
b. Date and time of the posting.
c. Estimated number of campers.
d. Name and phone number of the reporting member.

Upon receiving notice, JOIN outreach workers may endeavor to contact the campers to share information regarding any available shelter or housing alternatives and to offer other services. Outreach workers may be present during cleanups to assess campers’ needs and assist them in the relocating.
Supervisor Responsibilities (835.20)
Supervisors will ensure members provide the following:
   a. 24-hour notice prior to camp cleanups.
   b. JOIN has been notified.
   c. Cleanup occurred in compliance with local and state law.

Exceptions to 24-Hour Notice Requirement (835.20)
   a. Private Property: There is no requirement for a 24 hour notice on private property. A person camping on private property is subject to trespass. Railroad property to which the general public does not have access will be considered private property.
   b. Illegal Activities: When there is reasonable suspicion that illegal activities other than camping are occurring, no 24 hour notice is necessary.
   c. State and City Property: If a cleanup is to occur on a State of Oregon or City of Portland right-of-way that has been clearly signed as not being open to the public, no 24-hour notice is necessary. If a cleanup is to occur on a State of Oregon right-of-way that is not signed, then State of Oregon notice and retention procedures must be followed (see OAR Chapter 734, Division 35, Highway Division).
   d. Parks property: Parks provides 24 hour notice before removing established camps and abandoned property. Refer to Problem Solving Resource Guide for contact information.
      1. Exceptions are:
         a) Unattended or abandoned property can be removed immediately if there is an emergency such as public health hazards caused by waste, vectors, disease, hazardous materials or other threats to human life.
         b) There is a violation of federal, state or municipal law or regulations including provisions of City Code, Chapter 20.12.
         c) The camp or abandoned property substantially impedes access or the free use of the park by others.
   e. Emergency: In the event of exceptional emergency, the 24 hour notice will be waived. Examples of an emergency could include public health hazards caused by waste, vectors, disease, hazardous materials, or other threats to human life or safety.

Evidence (835.20)
   a. Arrest Situations: Items such as sleeping bags, bedding, or shopping carts, which are going to be used as evidence of the crime of illegal camping, shall be listed on an evidence receipt. If a camera is readily available so the evidence can be photographed at the scene, the evidence should be released to the owner. If a camera is unavailable, or the illegal camper is
to be taken into custody, the evidence will be dealt with pursuant to DIR 660.10, Property and Evidence Procedure.

b. Incomplete Camping Investigations: Item(s) taken as evidence during an investigation of illegal camping where no person has yet been arrested, will be listed on an evidence receipt, placed in plastic bag(s) and stored at Stanton Yard, where it will be held for at least thirty (30) days. Property that is to be stored at Stanton Yard, including shopping carts, shall be tagged with a completed Stanton Yard Property Receipt indicating the date and location from which it was removed, and any other identifying information.

Non-Evidentiary Property (835.20)

a. Abandoned Non-Valuables: If campers are present, they should be encouraged to clean the site themselves in order to reduce the Bureau’s need to provide trucks and other necessary equipment. In any event, discarded clothing and blankets, cardboard bedding, trash, etc., can be bagged and deposited in a proper disposal area. Members are encouraged to locate dumpsites within their precincts where members of the community may offer their facilities in a partnership venture. The Maintenance Bureau may be contacted to handle bulk property found during major cleanups. Their personnel will follow Maintenance Bureau procedures during the cleanup process.

b. Personal Property: For the purposes of this directive, personal property means any item that is reasonably recognizable as belonging to a person and that has apparent use. These items of personal property will be stored for a minimum of thirty (30) days. Items that have no apparent use or are in an unsanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.

840.00 ARREST WITH WARRANT

Index: Title

PROCEDURE (840.00)

Directive Specific Definitions

An arrest warrant: An order in writing, in the name of the state, signed by a magistrate with his/her name of office, commanding the arrest of the defendant.

An arrest warrant must specify the name of the defendant. If unknown, the defendant may be designated by a fictitious name with a statement therein that his true name is unknown. An arrest warrant must also state a crime in respect to which the magistrate has authority to issue the warrant.
Obtaining an Arrest Warrant (840.00)
A complainant or an investigator will appear before a deputy district attorney and justify the complaint.
   a. All felony complaints will be handled either by the Detective Division, or by the complainant.
   b. On a felony complaint, an investigator may accompany the complainant to the District Attorney’s office and assist if necessary.
   c. The investigator may, with the concurrence of a deputy district attorney, justify a felony complaint without the complainant being present.
If justified, an affidavit will be:
   a. Prepared by a deputy district attorney or investigator.
   b. Signed by the complainant or investigator.
   c. Notarized.
   d. Sent to a magistrate.
In felony cases, complainants or investigators will accompany the affidavit and swear an oath before the magistrate. The magistrate will examine the affidavit and, if justified, will issue an arrest warrant. On a felony complaint, the district attorney will have the option of bypassing the magistrate and submitting the complaint directly to the Grand Jury.

Arrest Warrant Processing Responsibilities (840.00)
The Multnomah County Sheriff’s Office (MCSO) is responsible for the physical maintenance of all warrants within Multnomah County. They will ensure the entry, modification and clearance of warrants into the computer, publish a computer printout of Warrants on File by Precinct and also a Notice of Warrant on File record card. The record card will be used to record the attempt or service of a warrant.
The Bureau restricts warrant service to the following guidelines:
   a. Major Warrants (felony, Class A misdemeanor, and major traffic offense warrants) can be served on any day, at any hour, when the defendant can be found.
   b. Minor Warrants (Class B and C misdemeanor, violations, traffic infractions, warrants, etc.) will generally be served during hours that will minimize the inconvenience to the defendant.
   c. Exceptions, caused by unusual circumstances, require approval by an immediate supervisor.
The Bureau will actively undertake the service of arrest warrants issued within the City. The MCSO will deliver daily to the Bureau’s Records Division, Mail Distribution Section, envelopes addressed to the appropriate precincts. The envelopes will contain computer-produced listings of Warrants on File Notices issued the previous day and a Warrant on File Record card for each entry.
   a. Precinct commanders will be responsible for the maintenance of the Warrant File Notices computer listing. The computer listings will be retained
by each Precinct for thirty (30) days and will reflect the following information:

1. The assignment of the Notice of Warrant on File card to a relief officer and the date of assignment.
2. The final disposition, whether served or an attempt of service is made, and the date.
3. The date the warrant card is sent back to MCSO (must be ten (10) days of date assigned).

b. Assigned district officers will make at least one documented attempt to serve the assigned warrant. The attempt will be noted in the space provided at the bottom of the Notice of Warrant on File card.

1. Members attempting service of a warrant will verify its status, prior to making an arrest, by MDC, radio or telephone to MCSO warrants base. Verification can be made by members directly or through precinct/unit members.

2. After the warrant has been confirmed and the member feels confident the checked subject is the person named on the warrant, the requesting member will complete the arrest procedure and transport the arrested subject to the appropriate booking facility.

1. There is no need for the arresting member to physically serve the verified warrant on the arrested subject. The warrant will be served by MCSO staff during the booking process.
2. Unless exceptional circumstances dictate otherwise, members will not pick up warrants from MCSO.
3. Arresting members will not accept bail money or issue receipts to persons attempting to post bail. The arrested subject will be transported to MCDC for purposes of either posting bail or booking. Where specified on the warrant, a citation in lieu of custody may be issued.
4. If the county warrant stipulates that a citation-in-lieu-of-custody can be written, and there are no other bookable charges, the arresting member may issue a citation-in-lieu-of-custody. The member must advise MCSO warrants base of the issuance of such as soon as possible.

d. Members will complete the Notice of Warrant on File Card by noting the served date, time, the name of the serving member and the DPSST number. It will be routed directly to MCSO Detention and Warrant Records by precinct/division members.

In those instances where a member determines a subject has moved to a new address within the city, a supervisor’s approval may be requested for travel to another precinct to continue the apprehension effort. The Notice of Warrant on File Card may be transferred to another precinct if the precinct’s computer produced
Warrant Notice List is updated to reflect the transfer. In all cases, the cards must be returned within ten (10) days to the MCSO.

850.00 ENFORCEMENT ON PRIVATE PROPERTY

Index: Title; Trespass Arrest; Housing Authority of Portland, Enforcement of Premises; Private Premises Enforcement; Persons in Charge, Officers Acting As

Refer: ORS 164.205 Persons in Charge, defined
ORS 164.245 Criminal Trespass II
DIR 830.00 Arrest Without Warrant
Authorization Letter, Private Premises, Criteria for Exclusion (Complaint Signer)
Document Appointing Trespass Control Officer (Complaint Signer)
Notice of Warning and Rights (Complaint Signer)
Trespass Form, Notice of Exclusion (Complaint Signer)

POLICY (850.00)

Members may act on behalf of the owners of private and public subsidized premises if the procedures and criteria described in this directive have been established by the premise owner before a member acts. These procedures will specifically detail how members are authorized to act as persons in charge on private premises, as defined in ORS 164.205(5), and will only apply to the enforcement of trespass procedures under ORS 164.245.

Members will be trained and certified in the application of this procedure prior to becoming persons in charge.

Members are reminded that landlord tenant laws apply in all cases involving tenants, and landlords should be encouraged to follow the established procedures for eviction (F.E.D., 72 hours and 30-day evictions, etc.).

Nothing in this order removes a member’s ability to act when dealing with other criminal matters observed on private premises during the course of his/her duties.

Due to periodic court rulings, parts of this directive may not apply. Members will follow the most recent updates issued to members by the City Attorney’s Office.

PROCEDURE (850.00)

Directive Specific Definitions

Criteria for exclusion: A list of non-constitutionally protected behaviors compiled by the controlling agent or owner of a premise upon violation of which a nonresident may be excluded from the common areas of the premises.

Exclusion Maintenance File (EMF): A file maintained at precinct level on hard copy and/or computer disc, and monitored and updated by a person or persons
designated by the precinct commander. This file will reflect the same material as outlined in the TCO’s file and pertain to the private premises within the precinct jurisdiction.

Multifamily housing premise: A large apartment or other complex providing multi-housing units to tenants and generally having common ground areas in between the units: parking lots, courtyards, and play areas designed for use of tenants.

Nonresident: Any person who does not lawfully reside on the premises.

Person in charge: A representative or employee of the person who has lawful control of premises by ownership, tenancy, official position or other legal relationship.

Premise: Any building, real property, and/or common area whether privately or publicly owned. Premises will not be meant to include City of Portland public rights of way such as public streets and public sidewalks adjacent thereto.

Trespass Control Officer (TCO): An individual designated by the controlling agent or owner of a premises who has the authority to process criminal trespass complaints. The TCO will also arrange for, and/or act as, a hearing officer to those individuals seeking appeal of trespass notices. The TCO will also maintain and update necessary files.

Landlord/Owner/Agent in Charge Responsibilities (850.00)

The owner or agent in charge of a premises (legally designated as such) should reassert control over all areas deemed common areas within the complex; (i.e., laundry rooms, common courtyards, private sidewalks, hallways, etc.). This should be specifically detailed in all rental contracts and leases. This is known as the Lease Enabling Provision. The assertion of control by owner (usually left out of leases) is to ensure the owner is the person in charge of these common areas under ORS 164.205(5). An example of a lease enabling provision is: “The (premises corporation, landlord or owner’s name) retains control over any common areas of the (name of premises) for the purposes of enforcing state trespass laws and shall be the person in charge for that purpose as that phrase is defined in ORS 164.205(5).”

The addition of this provision to the lease or contract must apply to all new tenants. In order to ensure current tenants are also notified of the owner’s claim to the common areas, the owner or their agent should have all current tenants sign a similar provision. They will also have to follow any and all in-house and possible statutory rules for changing leases, contracts, etc.

In addition to the lease enabling procedure, landlords should also include an enabling procedure sufficient to prohibit individuals from establishing residency without prior landlord approval.

In that this suggested procedure may affect the rights and obligations of the parties in the existing lease/rental agreements, landlords should always be referred to a private attorney for any review of amendments or enabling provisions to the
new lease/rental agreements.

The landlord may enable the manager alone to be the person in charge for trespass purposes. If members are to be allowed to make arrests for trespass on behalf of the owner, the owner or their designee must also empower the Bureau’s members to act as persons in charge upon their premises for the purpose of enforcing trespass laws. This is to be done by a formal letter written to the Chief of Police or precinct commander authorizing the sworn members of the Bureau to act in the described manner.

The premises owner or their agents will include, along with the above letter, a Criteria for Exclusion agreed to by the owner(s) as grounds to exclude nonresidents from their premises. These criteria can include a variety of obnoxious, violent, or dangerous activities. It should not, however, be so limited in scope as to be ineffective in addressing the nonresident’s behavior these procedures are to address.

The premises owner or their agents will then assign a TCO. This assignment will consist of a formal document authorizing a particular person, on behalf of the owner, to act as the TCO. The TCO will process the exclusion forms, usually on site or at a local office, and ensure that a current file is maintained of excluded persons. The TCO will also receive appeal requests by excluded parties. The TCO will notify the precinct whenever an appeal on an exclusion is pending. The TCO will also notify the appropriate members immediately of any persons excluded from the premises that were successful in their appeal process. The notification by the TCO to the person controlling the precinct EMF must be by telephone within 48 to 72 hours, followed by a letter to the precinct confirming any modifications or voiding of the exclusion. These notifications will always be the responsibility of the landlords or their designee. In addition, the TCO will give formal documentation to the successful appellant indicating they can return to the premises. The TCO will advise the successful appellant to carry the documentation on their person.

The owner or their designee will provide a camera and film, a supply of trespass forms and a place where a list of current excluded persons can be posted at each premise. They will also supply detailed maps of their premises.

Exclusion Process - Sworn Member Responsibilities (850.00)

a. When a member responds to the participating premises and has reasonable suspicion to believe that:

1. The person to be contacted is a nonresident.
2. The person has violated the criteria for exclusion on the premises or is violating the criteria for exclusion on the premises, and then the member is empowered to contact the nonresident and advise the nonresident of the violation of the criteria for exclusion. Unless the nonresident violator has committed a criminal offense for which a detention, stop, or arrest may be made, as discussed below, the contact by the member is limited to mere conversation.
b. The member is then empowered to complete the exclusion form specifically detailing the justification for the exclusion.

1. Arrests for offenses and issuance of exclusion form: When making an arrest for an offense, the member will complete the necessary reports (Custody, Investigation, etc.). If the member decides to exclude the person as well, a Special Report outlining the exclusion for each person arrested will be completed and attached to the Exclusion Form. These documents will be forwarded to Records along with all other reports related to the incident. The member will forward one copy of the Special Report and Exclusion Form to the person assigned to the precinct EMF and one copy to the private premises TCO.

2. Exclusions issued without arrests: In these cases a member will file a Special Report and attach the Exclusion Form with the same distribution as above. Members may exclude multiple persons on one Special report when no arrest is made on any one individual (see above).

3. Report requirements.
   a) In each Special Report written concerning the original exclusion, the member will write in the Location of Occurrence box only the landmark designation. If, on private premises other than HAP premises, the landmark designation will be PPE (name of complex). PPE will be the designation for Private Property Exclusion. Members will not include the mailing address in the formatted boxes of the report.
   b) In addition, when coding the excluded person on the original Special Report the members should use the code EX in place of SB or A1, etc.
   c) In all other subsequent reports related to the exclusion (i.e., trespass arrest with Custody and Investigation Reports), the mailing address is to be used rather than the landmark designation.
   d) Additionally, members should make an effort to refer the trespass arrest to the original exclusion case number.
   e) These reporting procedures will standardize PPDS data processing and provide clear and concise computer printouts. This becomes important when determining who is excluded from a premise. It is also necessary for the timely updating of files and site lists for both members and managers.

   c. The member will then provide the excluded person a map of the premises he or she is excluded from. This is to ensure that there is no confusion later as to where the individual was not allowed to return.
   d. The member will take a photograph of the excluded person and include it with a copy of the exclusion form for the on-site office (usually the manager’s office). The member will notify the excluded person of his/
her right to appeal the exclusion which is noted on the back of the form.
e. It must be emphasized, unless the person to be excluded is also to be ar-
rested for a criminal offense, the member has no legal authority to detain
the person to be excluded under the following examples:
1. The person to be excluded observes the approaching member and
flees the premises.
2. The person to be excluded, during mere conversation, refuses to iden-
tify themselves. Even though no right to identify them exists, they
can, nonetheless, still be excluded. In these examples, a member can
still shout the exclusion to the fleeing person; or, can tell the person
to be excluded who refuses identification, that he/she is not allowed
to return.

Trespass Arrest Process (850.00) Refer to DIR 830.00.
If a member observes a person known to be excluded from a premise, a criminal
trespass arrest may be made. The member will process the trespass arrest in the
usual manner with the following additions:
a. The member will attach a copy of the premises map to the report. An (X)
will be placed on the map specifically showing where the person was on
the common areas of the premises at the time of the arrest.
b. Copies of the reports will be forwarded to the complaint signer, EMF and
TCO.
c. This person has been excluded from the common areas on private premises
under the new authority of a person in charge for this private premise.
Therefore, the person can only be arrested for criminal trespass if he/
she is trespassing on that private premise. If the individual is on a public
street or public sidewalk adjacent to the private premises, an arrest is not
lawful.

Records/Data Processing (ITD) Requirements (850.00)
Records will make the necessary entries and assign PPDS offense codes. Mem-
ers can retrieve information on excluded persons from PPDS by accessing the
Address Search format and typing in the landmark name and the qualifier. For HAP
premises the landmark will be Housing Authority of Portland. The qualifier will
be the name of the premises. On all other private premises, the landmark will be
Private Property and the qualifier will be the name of the apartment. The name of
apartment will be decided upon at the time the private premises signs up for these
procedures. The name selected needs to remain consistent for data entry and inquiry.
While members can abbreviate Housing Authority of Portland to HAP or Private
Property to PPE on their Special Reports, to have computer access and retrieval,
members must spell the landmark and qualifiers exactly as shown.
Precinct Responsibilities (850.00)

a. Each precinct will maintain an EMF. The Commander will designate a specific person for this task.
   1. The file will include every exclusion for a specific premise.
   2. The EMF will be updated to reflect any exclusions which are expunged by an appeal process as notified by the TCO.
   3. When requested, the EMF may be printed daily for members involved with specific premises. This list should be sent to, and maintained at, the on-site office of the premise in question.
   4. If desired, the EMF may be put into the precinct’s personal computer for ease of retrieval and updating.
   5. The EMF designee will maintain contact with the TCO to ensure that a current list is maintained.
   6. The EMF designee will maintain contact with the complaint signer to ensure their list is current.
   7. The EMF designee will forward copies of successful appeals to Records for PPDS update. The EMF designee will also write a Special Report for all insufficient cases in order to clear the involved persons from the PPDS exclusion file.

b. The precinct may wish to pursue involvement in the appeals process, as outlined by the owner of the premise and carried out by the TCO.

c. The precinct commander will create a return letter to any premise owner who requests to use these procedures. The letter will include:
   1. The names of the people assigned in the precinct to coordinate with the owners TCO.
   2. A request to have the premise owner’s private attorney review these matters.
   3. A notice that any civil issues raised by these procedures are the responsibility of the owner.

Complaint Signer Responsibilities (850.00)

The complaint signer will:

a. Maintain files of all involved premises to include:
   1. A letter of empowerment authorizing sworn members to act as persons in charge of particular premises sites for the purpose of enforcing criminal trespass laws.
   2. A letter of declaration outlining the criteria for exclusion.
   3. A legal designation by the premises owner assigning a TCO.
   4. A return letter by the precinct commander.
   5. Maps of all involved premises.

b. Keep a file of all copies of the Custody, Investigation or Special Reports with their corresponding exclusion reports.
POLICY AND PROCEDURE

c. Maintain a list of excluded persons for each premises.
d. Maintain contact with the precinct person in charge of the EMF to ensure they have the same updated lists.
e. Can sign the necessary complaints for trespass arrests by members when such a process has been set up with the DA’s office.
f. Will send the DA two (2) copies of:
   1. The foundation papers (see proceeding).
   2. The original exclusion form and the supporting police reports.
   3. The current trespass reports.
   4. A copy of the premise map marked (X) where the arrestee was at the time of arrest.

While these procedures were designed specifically to address the problems non-tenants bring to larger apartment complexes, members should remember this process can be adapted to other applications. For example, this procedure has been used in part, to control aberrant behavior in shopping malls and businesses within congested business zones.

Criteria for Exclusion from (Name of Premises) (850.00)

Any non-resident will be directed to leave and may be barred from returning to the premises within which that person:
   a. Makes unreasonable noise.
   b. Engages in fighting or in violent, tumultuous, or threatening behavior.
   c. Substantially interferes with any right, comfort or convenience of any (name of premises) resident or employee.
   d. Engages in any activity that constitutes a criminal offense.
   e. Damages, defaces or destroys any property belonging to (name of premises) or a (name of premises) resident or employee.
   f. Litters on (name of premises) premises.
   g. Drives in a careless or reckless manner.
   h. Consumes or possesses an open container of any alcoholic beverage on the common areas without being accompanied (meaning actual physical presence) by an adult (21 years or older) resident of that development.
   i. Violates the City’s curfew ordinances.

Any person who fails to leave the premises after being directed to do so, or who returns to the premises after being given such direction, will be subject to arrest and prosecution for Criminal Trespass under ORS 164.245.
POLICY (850.10)

Members may take a person who is in a public place into custody with or without the presence of a criminal charge if the subject is intoxicated or under the influence of a controlled substance. Under no circumstances may an individual who is only intoxicated or under the influence of a controlled substance be placed in custody while inside a private residence.

Members may act in such situations by taking or sending the subject home or to a detoxification center such as the Hooper Memorial Center (Detox).

Members locating, or being called to deal with, incapacitated inebriates in public places will check the physical condition of the person for:

- b. Breathing and a normal rate of respiration.
- c. Normal skin color.

If these physical conditions appear normal, the member will attempt to rouse the person to consciousness. If any of those factors appear abnormal or the person cannot be roused within 30 seconds, the member will then call EMS to respond. Members will stand by until EMS is prepared to transport or declares there is no medical danger. In all instances, the member will stand by any person they determine is unable to make a rational decision. If CHIERS (Central City Concern-Hooper Inebriate Emergency Response Service) is not available or delayed, the member will transport the person to Detox.

PROCEDURE (850.10)

When a member has contact with a person exhibiting any of the following conditions, they will see that the subject is taken into custody and transported to an appropriate treatment facility:

- a. There is an immediate danger to the subject’s health caused by alcohol or drugs.
- b. There is an immediate danger to others due to the subject’s condition.
- c. The subject is suicidal.
- d. When, in the opinion of the member, the subject is unable to make rational decisions concerning acceptance of assistance (incapacitated).
- e. The subject is intoxicated and an insulin-using diabetic.

Regardless of the level of sobriety, if a person’s physical condition is such that immediate medical attention is required, members must call for an ambulance or
cab to transport the subject to the appropriate medical facility.

Individuals who meet the criteria for a police emergency mental committal will not be admitted to a sobering program even though they are intoxicated. Intoxicated/disoriented persons exhibiting signs of being either mentally or emotionally disturbed, but not meeting the criteria allowing for a police committal, may be admitted to Detox. If, after being placed in Detox, it is determined that a person is suicidal, that person will be removed to an appropriate facility by the admitting member.

Criminal Charges (850.10)

Intoxicated subjects arrested on criminal charges will either be booked into MCDC or issued the appropriate citation and lodged in Detox. Inebriates who are violent and/or combative, but to the member’s knowledge have not committed any criminal acts, will be lodged in Detox.

Detox Admission Process (850.10)

The following procedure will be used when invoking a civil hold:

a. All subjects taken into custody under the treatment act will be restrained and transported as directed in DIR 870.20.
b. Upon arriving at Detox, members may use the weapons locker provided in the admitting area.
c. A Detox staff person will receive, identify and assess the subject’s behavior. If not needed by the staff, the member may use the police desk to complete the report.
d. A Detox staff person will confer with the member(s) regarding the appropriate disposition for the inebriate. The member(s) may be requested to remain at Detox until the subject is placed in a sobering room or, if unruly, for the remainder of the admitting process.
e. The Detox staff will determine if the subject is to be placed in a safety room. A search will be conducted by the Detox staff. Unruly subjects will be restrained by the member(s) during the search. If illegal weapons or contraband are found, the admission process will be terminated. The subject will be arrested and either issued a citation or removed to MCDC. If removed to MCDC, a Seen But Not Admitted Detox form will be completed.
f. Following the staff search, if admittance to Detox is to occur and the subject is unruly, they will be moved by both the staff and the member(s) to a safety room. At this time, the handcuffs will be removed.

Removal of Subjects from Detox (850.10)

If a subject placed in Detox is uncooperative and an involuntary transport to another facility becomes necessary, a Detox employee will call 9-1-1 to request the
presence of a patrol unit for transport. If the member who admitted the person into Detox is not available, the closest free unit will be dispatched. Prior to leaving the center, the referral facility must be confirmed by the Detox staff. Voluntary committals requiring transfer to another facility are the responsibility of Detox. When requested to remove violent or combative persons from Detox, members will:

a. Respond to Detox using an appropriate driving response.
b. Take appropriate action to safeguard Detox staff and clients.
c. Assist the staff in restraining violent or combative individuals.
d. Ensure that the Detox staff has confirmed acceptance of the individual in an alternate facility.
e. Conduct the transport or use an ambulance with restraints.

**Reporting Requirements (850.10)**

All civil holds will be documented on an Investigation Report. The narrative will contain information that justifies the hold. A copy of the report will be presented to the Detox staff prior to departure. The completed original will be routed to Records through normal channels. Regardless of disposition, a records check will be conducted prior to releasing the individual.

**CHIERS (850.10)**

The CHIERS program provides for first responder assistance for certain medical emergencies and transport of incapacitated inebriates to Detox by Hooper Center staff members. Most CHIERS operators are emergency medical technician certified and deputized with authority limited to the pick up and transport of incapacitated individuals who cannot stand or walk unassisted and who are a danger to themselves as a result of their intoxicated condition. CHIERS cannot transport combative individuals.

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**850.20 MENTAL HEALTH CRISES RESPONSE**

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POLICY (850.20)
It is common for members to have contact with persons who by their actions indicate that they may have a mental illness. No person shall be taken into custody for mental illness alone. A mentally ill person will only be taken into custody when he/she has also committed an arrestable offense, has a valid detention order against him/her, or has demonstrated by his/her actions, as observed by a reliable person, that he/she poses a danger to him/herself or to others; and is in need of immediate care, custody or treatment for a mental illness.

PROCEDURES (850.20)

Directive Specific Definition
Abuse is:

a. Any death caused by other than accidental or natural means.
b. Any physical injury caused by other than accidental means or that appears to be at variance with the explanation given of the injury.
c. Willful infliction of physical pain or injury.
d. Sexual harassment or exploitation, including but not limited to any sexual contact between an employee of a facility or community program and an adult mentally ill or developmentally disabled person who receives services from the community program or facility.

Mandatory Reporting Requirements (850.20)
Members will complete an Investigation Report for allegations of abuse to mentally ill and developmentally disabled persons and forward a copy of the report to the Multnomah County Mental Health Division or to the Developmental Disabilities Services Division. Members will report non-criminal matters to the Gatekeeper Program as listed in the Problem Solving Resource Guide.

Crisis Intervention Team (CIT) (850.20)
CIT consists of sworn members who have completed the qualifying CIT training. CIT members assigned to patrol will be used for incidents involving persons in a crisis due to a mental illness or developmental disability.

BOEC will dispatch the nearest CIT officer assigned to the precinct of occurrence as the primary investigator. If no precinct CIT officers are available, BOEC will search citywide for an available CIT member to respond. CIT officers will notify his/her supervisor when leaving precinct boundaries. BOEC will dispatch cover units, including additional CIT members, as appropriate. If a CIT member is dispatched as the primary, he/she will investigate the incident and make appropriate custodies, transports or referrals. He/She will remain the lead investigator, unless relieved by a supervisor or not needed due to a change in circumstances before the CIT member’s arrival.

Members involved in an incident requiring CIT should request their response. If
the member has already taken a person into custody, he/she may still request CIT for assistance in making appropriate referrals or for assistance in processing the person. In this case, CIT will not act as the primary investigator.

Supervisors may use CIT members to make initial contact with subject(s) involved in incidents requiring the Hostage Negotiation Team (HNT). CIT will not be used in place of HNT, but HNT may use CIT as needed.

Dispositions (850.20)

Members will consider the nature of the situation and the behavior of the allegedly mentally ill person involved in determining the appropriate disposition of the person. Members may choose from the following options:

a. Refer to a mental health agency, crisis hotline or other related service agency. Resource information can be located through the Police Information Line or the Problem Solving Resource Guide.

b. Consult with a mental health or medical professional. Members can request, through BOEC, a Mobile Crisis Team to respond to the scene, if available. Members may contact the person’s health professionals, the mental health crisis line or other appropriate resource agencies.

c. Transport the person to a mental health or medical facility for voluntary care when no other means of transportation are readily available. Assisted persons should not be dangerous and be able to manage their behavior. Members should escort persons into the waiting area and introduce the person to facility staff. Members are not required to standby. Members will complete a Special Report and document the incident and transport.

d. Take the person into custody (civil) when there is probable cause that the person is a danger to him/herself or another person and is in need of immediate care, custody or treatment for mental illness and transport him/her to the appropriate secure evaluation unit or to the nearest designated hospital for a mental health evaluation.

e. Take the person into custody for an arrestable offense or, in the case of a citeable offense, cite the person and either take the person into custody (civil) for a mental health evaluation or voluntarily transport the person to a treatment facility.

Peace Officer Custody for an Allegedly Mentally Ill Person (Civil Custody Report) (850.20)

When taking an allegedly mentally ill person into custody (civil) for a mental health evaluation, members will:

a. Transport the individual to the appropriate secure evaluation facility, or if there is no secure evaluation facility or if the unit is on divert, to the nearest designated hospital emergency department that conducts mental health evaluations.
b. Remain at the facility until a physician determines whether the person will be admitted. If not admitted, the member may arrest the person for an offense, transport the person back to the original custody location or both. In the case where no arrest is made and the person chooses not to return to the location of custody, the person will be released outside the care facility.

c. Complete an Investigation Report and a Civil Custody Report, before leaving the facility.

d. Make copies of both reports. Leave the original Civil Custody Report and a copy of the Investigation Report with the secure evaluation unit or the receiving hospital. Turn in the original Investigation Report along with a copy of the Civil Custody Report to a supervisor before the end of his/her shift.

**Peace Officer Custody of an Allegedly Mentally Ill Person per a Mental Health Director (Director’s Custody Report) (850.20)**

When assisting a community health and developmental disabilities program director or designee in taking an allegedly mentally ill person into custody, members will:

a. Verify the authority of the person signing the Director’s Custody Report and ordering the custody (civil). Approved Qualified Mental Health Professionals (QMHP) have identification cards from Multnomah County.

b. Take into custody (civil) the person named on the Director’s Custody Report and notify a supervisor.

c. Obtain the Director’s Custody Report from the director or designee and transport the person to the medical facility as designated by the director.

d. Remain at the facility until custody is transferred to the facility security, if needed. Member should report their observations to a facility social worker or physician and check with the facility before leaving the premises. In the case where facility security relieved the officer and the person was not admitted, the officer may be requested to return to the facility and must transport the individual back to the original contact location.

e. Complete a Special Report documenting the custody (civil) and transport.

f. Leave the original Director’s Custody Report and a copy of the Special Report with the secure evaluation unit or the receiving hospital.

g. Turn in the original Special Report along with a copy of the Director’s Custody Report to a supervisor before the end of his/her shift.

**Psychiatric Security Review Board (PSRB) Orders of Revocation (850.20)**

PSRB will direct members to take PSRB supervised persons into custody on
Revocation Orders, which are comparable to arrest warrants. When a member is notified of a PSRB Revocation Order, typically through a PSRB LEDS message reading: “No Criminal Warrant, PSRB Order for mandatory return to Oregon State Hospital” members will:

a. Take the person named in the Revocation Order into custody and notify a supervisor.
b. Ensure the Oregon State Hospital Communications Center is notified (see the Problem Solving Resource Guide for the number).
c. Transport, with one other member, the person to the Oregon State Hospital Communications Center. If additional verification of Revocation Order is needed, the PSRB Executive Director may be contacted (see the Problem Solving Resource Guide for the number).
d. Document the incident on a Police Custody Report and turn it into a supervisor before the end of his/her shift.

Escaped Mental Patients (850.20)
Members may be requested to take escaped patients into custody. This will be done only when:

a. An escapee from a state hospital was committed under ORS 181.530 due to a conviction of a crime or committed as sexually dangerous. Notice can be in writing or by teletype.
b. A civilly committed person unlawfully escapes from a residential facility and the facility produces the order of commitment.
c. An escapee is deemed to be a danger to him/herself or others.

If escapees meet the above criteria, members should:

a. Take the escapee into custody (civil) and transport him/her to the appropriate secure evaluation unit or nearest designated hospital.
b. Contact the facility escaped from and notify them of location to pick up their escapee.
c. Complete a Special Report documenting the incident and transport, to include the name of the person notified at the escaped facility, and submit the report to a supervisor before the end of his/her shift.

Warrants of Detention/Trial Visitation (850.20)
During pre-trial civil commitment processes, an allegedly mentally ill person may be released into the community and be investigated by a civil commitment investigator. A civil warrant of detention may also be issued by a judge to take a mentally ill person into custody. Members should not become involved in these activities unless called to an incident to assist a civil commitment investigator or civil deputy in fulfilling his/her mission. The statutory authority to serve a warrant of detention rests with the county sheriff.
Assisting Hospitals with Mentally Ill Patients and Walk-aways (850.20)

Members will not become involved in incidents within a secure evaluation unit or an emergency care hospital, unless the facility cannot give appropriate care or a person becomes violent, resistive or refuses to go with facility arranged transportation to an appropriate facility. Secure evaluation units and hospitals are responsible for transports to the other care facilities. Members will not take into custody voluntarily admitted patients who have walked away from a hospital or facility, unless their actions at the time indicate they are a danger to themselves or others and are in need of immediate care, custody and treatment for mental illness.

Custody of Juveniles (850.20)

Juveniles may be taken into custody for a mental health evaluation under the same circumstances as an adult. The parent/guardian of the juvenile should call the destination hospital to make arrangements for the completion of any needed consent for treatment forms. If a member is unable to gain consent from a parent/guardian, he/she will follow the will contact DHS Child Abuse 24-hour Hotline and follow the protective custody guidelines outlined in DIR 850.30.

Records Division Responsibilities (850.20)

Records will flag those persons taken into civil custody in PPDS as Allegedly Mentally Ill and forward copies of all mental health related reports to the CIT Coordinator.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (850.20)

Supervisors will ensure that appropriate dispatch and use of CIT procedures are followed and ensure against the misuse of CIT. Supervisors will also ensure their members follow the investigations and reporting requirements. The CIT Coordinator will review all reports forwarded by Records and will act as a liaison between the Bureau and the mental health community.

850.25 POLICE RESPONSE TO MENTAL HEALTH FACILITIES

Index: Title
Refer: DIR 720.00 SERT and HNT Use
       DIR 850.20 Mental Health Crises Response
       DIR 1010.20 Physical Force
       Multnomah County Mental Health and Addiction Services Protocols

POLICY (850.25)

Portland Police Bureau members will provide its services consistent with the mission and values of the organization. It is the responsibility of the operators of
mental health facilities, secure evaluation units, and emergency care hospitals, to maintain order within the facility and to provide for the safety and security of patients and staff members. In that capacity, Bureau members may be called to assist facility staff according to the Multnomah County Mental Health and Addiction Services protocols. These protocols state that routine calls and urgent calls are to be directed to the Multnomah County Call Center. Only those calls for crimes in progress, armed individuals on premises or property, or serious assaults to residents or staff will result in a call for police services. Multnomah County is responsible for training facility staff in these protocols and monitoring compliance.

PROCEDURE (850.25)

CIT Coordinator Responsibilities (850.25)
The CIT Coordinator is responsible to:

a. Review police reports that reference police response to persons with mental illness and identify issues for follow up.
b. Work with Bureau personnel to follow up on concerns raised regarding response to mental health facilities.
c. Supply precinct commanders with floor plans of all residential mental health facilities within the precinct boundaries. These floor plans will be provided by Multnomah County.
d. Review copies of reports generated by any response to a residential mental health facility to monitor proper usage of the call center protocol by the facility.
e. Conduct regular meetings of the CIT Advisory Committee, with representatives from mental health service providers and regulators, to review facility issues and problem solve.

Precinct Commander or Designee Responsibilities (850.25)

a. Regularly review the floor plans of the residential mental health facilities within the precinct boundaries, and share information with supervisors and officers.
b. Forward copies of reports written from any response to a residential mental health facility, within his/her precinct boundary, to the CIT coordinator.
c. Notify BOEC of the residential mental health facilities within his/her precinct boundaries and ensure the facilities are designated to receive a minimum call response of a supervisor, and four officers (to include a CIT officer, if available).
d. Regularly meet with facility management representatives to review:
   1. This directive and expectations of facility management for response to patients and requests for police assistance in emergencies.
   2. Facility emergency policies for dealing with combative patients.
   3. Facility floor plan and security features (doors, windows, video sur-
veillance, secure rooms, etc.).
4. The numbers of on-duty staff and their training for response to problem behaviors.

**Multnomah County Mental Health and Addiction Services Role (850.25)**

Through a partnership agreement with the Bureau, Multnomah County Mental Health and Addiction Services management has created response protocols, and will provide ongoing training for facility staff and will monitor compliance. These protocols require that facility staff first call the Multnomah County Call Center for the following types of calls:

a. Routine calls: These will be directed to either the Call Center or the facility administrator. These calls would include consultation related to an ongoing event or situation, gathering direction for next steps and reporting a missing patient.

b. Urgent calls: These will be directed to the Call Center. These calls would include consultation related to an ongoing event or situation, requests for Project Respond and patient transport to the hospital.

c. Emergency calls: These will be directed to 9-1-1. These calls would include fire, medical emergency, crime in progress, armed individuals on premises or on the property, or serious assaults to staff or residents. Serious assaults are defined as those assaults that would require police use of force to intervene.

**Mental Health Facility Role (850.25)**

Through a partnership agreement with the Bureau and Multnomah County Mental Health and Addiction Services, facility administrators and staff are responsible to:

a. Ensure that staff members are trained on the response protocols and adhere to them.

b. Ensure that staff members follow procedures for reporting when police are called to their facilities.

c. Ensure that when police are called, that a staff member will meet police outside the facility and provide them with the following:
   1. A floor plan that shows the location of the person who requires police response, and location of other patients, visitors and staff.
   2. Information about the incident and persons involved that would aid police in planning their response.

d. Participate in incident debriefings.

e. Identify and correct security measures.

**Supervisor Responsibilities (850.25)**

When responding to emergencies at mental health facilities, supervisors will
ensure that a minimum of four officers, to include a CIT officer if available, respond in addition to the supervisor. Experience has shown that persons with mental illness may be able to fight on and overcome the pain caused by impact weapons such as batons or less lethal ammunition strikes, as well as the irritation caused by the use of pepper spray. The Taser may be the most effective control option when a person is engaging in physical resistance to a lawful police action or aggressive physical resistance to a lawful police action. See DIR 1051.00 Taser, Less Lethal Weapon System for use guidelines and reporting requirements.

The following are tactical guidelines for supervisors to consider before entry into a psychiatric facility:

a. Ensure that all responding officers stage and await the arrival of all necessary personnel and equipment as needed.
b. Meet with a facility staff member outside of the building and gather all possible information regarding the incident and the patient(s).
c. Evaluate the necessity for police intervention in the incident, considering the severity of the threat and the options to resolve it.
d. Review the need for the activation of SERT in cases where the patient is barricaded and intervention is needed or the potential of a hostage situation exists.
e. If police intervention is warranted, develop a tactical plan taking advantage of the most effective control options that may safely resolve the incident.
f. Specific tactical considerations will vary depending upon the incident and will require active supervision and direction by the supervisor and a clear understanding among officers of the manner by which control will be gained.
g. If at any time during the attempt to gain control of the patient, the patient is sufficiently isolated or contained within the facility so as to render the patient safe from harming themselves or others, disengage from further contact as the primary goal of gaining control will have been met.

850.30 JUVENILES, CUSTODY
Index: Title
Refer: ORS 419C.080 Custody; when authorized
ORS 419A.250 Photographing and Fingerprinting a Child; Conditions
DIR 640.40 Investigations on Public School Property
DIR 640.70 Fingerprinting and Photographing Juveniles
DIR 850.20 Mental Health Crises Response
DIR 860.30 Citations-in-Lieu-of-Custody
DIR 870.50 Arrest, Felony Processing
Juvenile Secure Custody Log Form (Chief’s Office)
PROCEDURE (850.30)

An unemancipated juvenile may be taken into custody by a peace officer, Juvenile Court counselor, employee of the Department of Human Services (DHS) or any other person authorized by the Juvenile Court of the county in which the child is found. Circumstances include:

a. If the child were an adult, they could be arrested without a warrant.
b. If the child’s condition or circumstances reasonably appear to jeopardize his/her welfare (i.e., protective custody situations, such as, neglect, abuse, medical emergencies, being in the company of an arrested person, truancy, vice activities and unwholesome and unsupervised activities).
c. When the Juvenile Court endorsement on a summons orders that the child be taken into custody and authorizes a police officer to do so.
d. When the city or state curfew regulations are violated.
e. When the juvenile is reported as a missing or runaway person by a competent authority (protective custody).
f. When a warrant exists.
g. When there is reason to believe the juvenile is an escapee or runaway from a state training school, parole placement or camp or an institution to which the juvenile was committed by a court order.

ORS 419C.130 Juvenile Detention, provides that a juvenile can be held in a police station for not more than five hours. All Bureau locations that have secure holding facilities shall maintain a Juvenile Secure Custody Log form for each holding room. All members who place a juvenile in a secure holding facility/room are required to complete all categories on the room’s Juvenile Secure Custody Log.

Copies of Juvenile Secure Custody Logs will be maintained at the secure holding facility they originated at for five years from the date of the last entry on the log. All original Juvenile Security Logs completed by the end of a fiscal year will be forwarded to the Chief of Police’s Office by the July 10th of the next fiscal year.

Felony Offenders (850.30)

Felony offenders are those persons under 18 years of age who commit an act that constitutes a felony crime. Members involved in the arrest of a felony offender will process the subject in accordance with DIR 870.50 Arrest, Felony Processing.

When the offender is transported to Detectives, the member will remain until released by the investigator(s). The member may be requested to assist in the investigation or transport the offender. Otherwise, Detectives will have responsibility for final disposition. When continued custody is not required, offenders 12 years of age and older may be released to parent, guardian or on his/her own recognizance. Children under 12 years will be released to parent or guardian. If those attempts fail, the Juvenile Justice Complex (JDH) will be contacted for disposition. When the offender is not transported to Detectives, the member has responsibility for final disposition.
ORS 419A.210 allows for the photographing and fingerprinting of juveniles under various circumstances, one of which is felony custody situations. Members will refer to DIR 640.70 in order to ensure the proper processing of juveniles in custody.

Misdemeanor/Status Offenders (850.30)

Status offenders shall not be handcuffed to a fixed rail or object, nor shall the status offender be placed in a locked room unless a risk to officer or status offender safety can be documented.

Accused or adjudicated delinquents may be temporarily detained in quarters with no sustained verbal or visual contact with adults. A notation shall be made in the police report listing the duration of detention and if the offender was handcuffed.

Misdemeanor/status offenders, ages 11 to 17, will be released to a parent, guardian, or other responsible person if possible. If such a person is not available, offenders will be taken to New Avenues For Youth (NAFY) or other approved placement. For address, see Problem Solving Resource Guide.

Misdemeanor/status offenses include: MIP, curfew, truancy, City ordinance violations, non-person-to-person misdemeanors, and circumstances or situations that may endanger the juvenile’s welfare or the welfare of others.

Members taking custody of a juvenile under 11 years of age will attempt to release the child to a parent or guardian. If those attempts fail, the member will contact JDH for disposition.

In all cases a Custody Report will be completed prior to leaving duty. Facts related to attempts to locate and release juveniles to a parent, guardian, or other responsible person will be documented in the report. When a juvenile is transported to NAFY, a copy of the completed report will be left with the staff.

Remanded Offenders (850.30)

Remanded offenders are juveniles who have been permanently remanded to the adult court. The following procedure will be used when a member takes a remanded offender into custody for an offense or when ordered by the Juvenile Court to take custody and transport one who has been remanded.

a. For Portland jurisdiction cases only, members will, on request from the Juvenile Court, take custody of and transport remanded juveniles who are in custody at the time of the remand hearing.

b. In these circumstances, Juvenile Court will notify BOEC that the juvenile has been remanded and is awaiting transportation to MCDC. Juvenile Court will have the necessary reports completed when the transporting member arrives at JDH.

c. BOEC will dispatch a district unit on a Priority 3 basis to JDH.

d. The member will transport the juvenile to the MCDC and complete a Custody Report using the number of the original case. Members will...
POLICY AND PROCEDURE

indicate Remanded Juvenile on the top margin of the Custody Report.

e. A CILC may be issued, if the conditions outlined in DIR 860.30 apply.

If a juvenile is not in custody prior to a remand hearing and is then remanded at a hearing, the juvenile will not be taken into custody unless ordered by the court. The District Attorney’s (DA) Juvenile Court Section will forward the report to the appropriate unit in its courthouse section for a grand jury presentation. If a True Bill is returned and a warrant is issued, the juvenile can be taken into custody and booked at MCDC.

Protective Custody (850.30)

a. Protective Custody: Members may take a child into protective custody when the child is found to be a victim of abuse, neglect, found in the company of arrested persons, and/or in need of care for non-criminal/ non-status related offenses, such as runaway and missing juveniles.

b. Medical Emergency: Protective custody is used in medical emergency situations where treatment is necessary and parental consent is absent. A court order will be necessary for treatment. Members will not sign release forms or give verbal authorization for treatment. The member will place the child into protective custody and contact JDH informing the in-take personnel of the situation. Intake will then contact a judge who will contact the hospital providing authorization for treatment.

c. Protective Custody Placement: Excluding runaway situations, protective custody placements are arranged through DHS Child Abuse 24-hour Hotline (see Problem Solving Resource Guide). Reports of this nature will not contain the location, address or phone number of the placement. A child may be placed with relatives or any individual approved by the parent or guardian in those cases where the child’s welfare is not in jeopardy.

d. Placement of Missing / Runaway Juveniles: When a juvenile is taken into protective custody as a missing person or runaway, members will release the child without unnecessary delay to the custody of the child’s parent or guardian or to NAFY or other approved placement. Members may release the child to NAFY or other approved placement if it reasonably appears that the child would not willingly remain at home if released to the child’s parent or guardian.

Illness, Injury or Intoxication (850.30)

Any subject showing visible signs of illness, injury or intoxication must be medically screened at an approved medical facility before admission will be allowed at the Juvenile Justice Complex detention facility.

Notification of Parent or Guardian (850.30)

The notification of parent or guardian is the responsibility of the member who
places a juvenile into custody. Notification will be made by telephone, in person, or by leaving a note at the juvenile’s residence and/or in the place from which the child was removed.

In the absence of actual contact with the parent or guardian, the written notification will direct the responsible person to contact JDH regarding a court hearing which will be set for the next court. When notification attempts fail, members will document such in his/her reports.

Notification of Victims or Complainants (850.30)

Victims and/or complainants are not required to sign complaints against juvenile offenders. Members need only notify victims/complainants that a representative of the juvenile court system will contact them regarding their case.

Report Disposition (850.30)

The member taking custody of a juvenile is responsible for completing the Custody and, if applicable, an Investigation Report. When offenders are presented to Detectives for final disposition, a copy of these reports must accompany the offenders.

If juveniles are to be lodged in JDH or placed in protective custody (medical emergency, shelter care or placement with family or friend other than parent or guardian), all reports related to the case must be delivered to JDH prior to the end of the member’s shift.

In those instances when a juvenile is released to a parent, guardian, YSC, Harry’s Mother or on their own recognizance, all reports related to the case will be forwarded to JDH through normal channels. When a juvenile is lodged at NAFY, a copy of the report(s) will be left at NAFY.

Response to Child Custody Disputes (850.30)

Members should not interpret or accept another’s interpretation of language on a court order. To do so puts the members involved in a very difficult position with many liability concerns. The City Attorney’s Office recommends that members responding to custody dispute calls follow these guidelines:

a. Where there is an unambiguous order of a court that directs peace officer action, the terms of the order should be executed by the responding members. The language of the order must be plain and clearly apply to the existing situation. If any interpretation is required or if there is any question whether the order is applicable to the situation, advise the parties to return to court for a more specific order. Do not accept the advice of the parties’ attorneys or others at the scene as to the meaning or applicability of an order.

b. Writs of Assistance and Custody Orders will not be in LEDS. Therefore, members should only act where the parties present the original copy of an
order with the judge’s signature and court’s seal. If a party asserts there is a more recent, conflicting order or that the order in question does not apply, the parties should be directed to return to court for clarification. Also, as a general rule, if the order is more than one month old, parties should be directed to return to court to obtain a current order.

c. In situations where the health or welfare of children is in jeopardy, they may be taken into custody and placed through DHS, in accordance with Oregon law.

850.39 MISSING, RUNAWAY, LOST OR DISORIENTED PERSONS

Policy (850.39)
The Bureau will act promptly to investigate reports of missing, runaway, lost and/or disoriented persons in a sensitive and proactive manner.

Procedure (850.39)
Directive Specific Definitions
Activation: To begin or start PENS by an authorized individual.

Amber Alert program: A statewide coordinated and cooperative notification and information-gathering system specifically employed to aid in the resolution of child abduction or suspected child abduction incidents by broadcasting critical information to the media and the public.

Closure message: A recorded message that is delivered using PENS to alert the receiving parties that the emergency situation no longer exists.

MPERS: Missing Persons detail.

Outgoing message: A recorded voice message that will be delivered using PENS to alert the receiving parties about the emergency situation.

PENS operator: The person contacted to activate PENS.

Portland Emergency Notification System (PENS): An automated telephone system used to notify citizens of an emergency situation or police action in their area.

Service Provider: The company taking activation information, either from computer or voice, and completes the calling.
POLICY AND PROCEDURE

Missing Persons/Runaway Juveniles (850.39)

Calls regarding missing persons or runaway juveniles will be channeled to BOEC call takers. They will determine if a car will be dispatched to take a report or if the report will be taken by telephone. A car will be dispatched if the missing person:

a. Is in the company of another person under circumstances indicating that the disappearance was not voluntary or in the company of another person considered dangerous to the missing person.

b. Because of age, reported suicidal tendencies, physical or mental defect, there is a possibility of danger to the missing person or others.

c. Has been involved with the Reporting Party in any previously reported or suspected domestic violence or abuse (i.e., PPDS, LEDS/NCIC, or CAD history).

d. Is missing under suspicious circumstances.

e. Is a juvenile and has no history of runaway.

All reports of Missing Persons will require mandatory reporting. If a member declines a Missing Person report for any reason, including not meeting the specified criteria, the member shall complete a Special Report with a subject heading Missing Person Report Declined.

a. There is no waiting period before accepting a report on a missing person. All juvenile/runaway and at-risk missing persons reports should be taken immediately.

b. Federal law prohibits any waiting period for entry of a missing child report. If an incident meets the criteria, a report will be completed without delay. Missing persons are to be documented on an Investigative Report.

c. The Records Division (Records)/Teletype will be notified, as soon as practical, to facilitate having the missing person entered into LEDS/NCIC. It is possible to relay this information to teletype by radio using NE net.

d. Members should assign separate case numbers for each reported missing person, except in custodial interference cases or juvenile/runaway cases when the missing juvenile or runaway leaves with her own infant child. In these cases, all involved persons would be reported on the same report.

e. Members should advise the reporting party of the responsibility to contact the non-emergency number as soon as possible when the missing person is no longer missing (unless the missing person is contacted or returned by police, who would generate a Special Report and teletype notification.

f. When a member clears a missing person report, the reporting member will contact Records/Teletype, as soon as practical, to have the person removed from LEDS/NCIC. It is possible to relay this information to teletype by radio using the NE net. The member will complete a Special Report documenting the clearance.

g. Members will not clear any Missing Person report merely by the reporting party calling over the phone to request the clearance, when there has
been any previously reported or suspected history of domestic violence or abuse between the reporting party and the missing person (i.e., PPDS, LEDS/NCIC or CAD history).

h. Members should either attempt to make contact with the missing person face-to-face or should make reasonable attempts to speak with the missing person over the phone, verifying the missing person’s identity and welfare.

i. Members may also rely on witness statements in verifying the missing person’s welfare when direct contact with the missing person is not reasonable.

Lost, Disoriented or Developmentally Disabled Persons (850.39)

Members may be called upon to assist lost, disoriented or developmentally disabled adults in seeking their places of residence or shelter care facilities. In such situations, members will make every reasonable effort to locate the person’s residence. This should include a PPDS check for a Disability Alert Flag (DAF). The DAF will be found under the PPDS MISC INFO heading, and indicates the presence of a PPDS file containing the names and telephone numbers of contact person(s) for certain developmentally disabled individuals. If those efforts fail, the member should consider contacting the Detective Division (Detectives), Missing Persons Detail (MPERS). MPERS maintains a database of reported chronic lost, disoriented or developmentally disabled persons, which may assist the member in identifying a person if the person’s residence or an emergency contact cannot be located. Members should attempt to obtain shelter care for the person.

Following the transfer of the person to a facility, the member will complete a Special report noting the location or facility of final disposition. The Special Report will be forwarded to Records. Records will route a copy to MPERS.

Missing Adults or Juveniles Under Suspicious Circumstances (850.39)

In cases where the reported missing person is an adult or juvenile missing under suspicious circumstances, the following procedure will be initiated:

a. The investigating member will immediately advise a supervisor of the circumstances.

b. If, after reviewing the circumstances, the supervisor believes it necessary, the description of the missing person will be immediately broadcast.

c. The supervisor will determine whether a block by block search is necessary.

d. If it is determined that a block by block search is necessary, the supervisor will notify the relief commander who will assign additional members as needed.

e. The supervisor will notify the Detective Division’s (Detectives) Homicide Detail supervisor as soon as possible.
f. The involved precinct will retain investigative responsibility unless foul play is reasonably suspected.
g. If foul play is reasonably suspected, the Homicide Detail will assume control of the investigation.
h. The supervisor and the Homicide Detail supervisor will evaluate whether an activation of the Portland Emergency Notification System (PENS) is appropriate.
   1. Refer to the PENS section of this Directive for further details.
i. The investigating member will notify Records as soon as practical, with information on the missing person for LEDS/NCIC data entry. It is possible to relay this information to Teletype by radio using NE net.
j. Copies of all associated reports should be faxed or, if no fax is available, sent via Interoffice Mail to the Detectives MPERS, prior to the end of shift.
k. Responding members should be aware that, in suspicious circumstances, the location the person is missing from may be a crime scene.

Abducted or Suspected Abducted Adults or Juveniles (850.39)
In cases where the reported missing person has been abducted or is suspected to have been abducted, the following procedure will be initiated:
   a. The investigating member will immediately advise a supervisor of the circumstances.
   b. If, after reviewing the circumstances, the supervisor believes it is necessary, the description of the missing person will be immediately broadcast.
   c. The supervisor will notify the Detectives Homicide detail supervisor as soon as possible.
   d. If abduction is suspected, the Homicide Detail will respond to the scene and assume control of the investigation.
   e. The supervisor and Homicide Detail supervisor will make a determination as to whether a block-by-block search is necessary.
   f. If it is determined that a block-by-block search is necessary the supervisor will notify the relief commander who will assign additional members as needed.
   g. If the abducted or suspected abducted person is a juvenile (17 years of age or younger) the detective or other person designated by the Homicide Detail supervisor will evaluate whether the abduction meets the specific criteria for an Amber Alert.
      1. Refer to the Amber Alert (850.39) section.
   h. The Homicide Detail supervisor, or his designee, will evaluate whether an activation of PENS is appropriate.
      1. Refer to the PENS (850.39) section of this Directive for further details.
i. The investigating member will notify Records as soon as possible with information on the missing person for entry into LEDS/NCIC. Information relating to an abducted or suspected abducted person will not be transmitted to Records/Teletype over any of the radio broadcast nets, due to the sensitive nature of the information.

j. Responding members should be aware that, in an abduction or suspected abduction case, the location the person is missing from may be a crime scene.

**Missing Child, No Suspicious Circumstances (850.39)**

In cases where a child is reported missing, but there are no suspicious circumstances involved:

a. The investigating member will thoroughly search the location from where the child is reported missing, including bedrooms, closets, front and back yards, outbuildings and other areas where a child might be hiding. If the child is not located, the investigating member will immediately advise a supervisor of the circumstances.

b. The supervisor will determine if a block-by-block search is necessary.

c. If it is determined that a block-by-block search is necessary, the supervisor will notify the relief commander who will assign additional members as needed.

d. The involved precinct will retain investigative responsibility as long as foul play is not reasonably suspected and there are no apparent suspicious circumstances.

e. The supervisor will evaluate the circumstances to determine if activation of PENS is appropriate.

1. Refer to the PENS (850.39) section of this Directive for further details.

f. If the child is not located within a reasonable period of time, the supervisor will contact the Detectives Homicide Detail supervisor.

g. The Homicide Detail supervisor or designee will respond to the scene to provide assistance to the incident supervisor. Upon request of the RU manager, the Homicide Detail will assume command of the incident.

h. The investigating member will notify Records, as soon as practical, with information on the missing person for LEDS/NCIC data entry. It is possible to relay this information to Teletype by radio using NE net.

**Missing Person is a Juvenile Runaway (850.39)**

In cases where the reported missing person is a juvenile runaway, the following procedure will be initiated:

a. Members will make a notation in the distribution box of the report form, directing a copy to the Family Services Division (FSD). Records will
distribute a copy of the report(s) to the Juvenile Section of FSD. FSD will coordinate and conduct follow-up investigations on Juvenile Missing/Runaway reports.

AMBER Alert (850.39)

An Amber Alert System (AAS) activation shall only be authorized under the following circumstances:

a. There is reasonable belief that an abduction occurred, and the victim is a juvenile (i.e., 17 years of age or younger).

b. There is articulable information as to why the child is in danger of imminent bodily harm or death.

c. There is adequate descriptive information available to believe that dissemination of that information to the public could help locate the juvenile, or the suspect or the suspect vehicle.

The AAS is not to be used in cases involving parental abduction (Custodial Interference), unless the juvenile is believed to be in imminent danger of bodily harm or death.

The AAS will only be activated after a member has had direct contact with a reporting party. Activation will not be based solely on a report to BOEC by a reporting party.

Authorization for an Amber Alert must be made directly to BOEC. Requests will be made by telephone, or in person, but not over the radio broadcast net. Members making a request will contact the BOEC Dispatch Coordinator (DC).

The AAS may be authorized only by a sworn member with a rank of sergeant, detective or above, or by a member acting under specific direction from a sworn member with a rank of sergeant, detective or above.

Member Responsibilities, Amber Alert (850.39)

a. BOEC:

1. The Bureau of Emergency Communications (BOEC) is responsible for coordinating an AMBER Alert. The DC will refer to and implement the current SOP 10.20.020 for an Amber Alert when an authorization for one is received.

b. The member making the request:

1. The member calling the DC with an authorization for an Amber Alert will provide the DC with the following information on the juvenile:

a) Name.

b) Approximate age (date of birth if available).

c) Complete physical description (including clothing, scars, marks and tattoos).

d) Complete physical description of the suspect(s) (including clothing).
e) Description of suspect vehicle or other mode of transportation.
f) Direction of travel.
g) Description of the abduction (brief summary of what occurred).
h) Additional information (officer safety, child endangered, etc.).

Until the Amber Alert activation request has been processed by BOEC, and the Amber Alert has been made public, no references to the Amber Alert will be made over any radio broadcast net.

Activation of the Amber Alert system does not, in any way, relieve members of any current response or investigative responsibility.

**Updating an Amber Alert (850.39)**

An AAS activation is a time consuming and labor intensive procedure that will tax the capabilities of BOEC. Therefore, an Amber Alert shall be authorized only as long as it is deemed a productive and useful tool in attempting to locate the abducted child. The lead detective or supervisor involved with the investigation will be responsible for updates to and/or deactivation of the Amber Alert.

**Notification and Reporting Requirements for an Amber Alert (850.39)**

The supervisor granting the authorization for the AAS activation will ensure that the following notifications are made:

a. Prompt notification (through channels) to the appropriate Branch chief.
b. The Public Information Officer (PIO). This will ensure a properly managed media response and will assist with the dissemination of appropriate and accurate information.

An After Action Report will be completed, and forwarded through channels to the appropriate Branch chief, for every Amber Alert activation. The After Action Report will be completed by the incident supervisor in order to evaluate the effectiveness of the notification system, and to provide an overview of the time and resources expanded to complete the investigation.

**Portland Emergency Notification System (PENS) (850.39)**

PENS delivers a recorded voice message to all available home-based phones lines within a targeted geographical area. PENS does not send TTY/TDD messages (for the hearing impaired). TTY/TDD users may still need to be contacted in person.

PENS is used to alert citizens of a life-threatening or property threatening incident in their area (i.e., police searching for a missing child, flood information). PENS will only be used from 0700 to 2200 hours for situations involving missing and/or suspicious persons; as its effectiveness is diminished during the hours the receiving parties will be asleep. PENS will be used at all hours for situations involving severe natural disasters and national emergencies.
Activation of PENS (850.39)

a. The PENS server provider is located in the state of Louisiana, and should be used with discretion due to cost.
b. PENS will be activated only by a RU manager or his/her designee. The designee must be a sworn member with a rank of sergeant or above.
c. PENS may be activated by calling one of the following locations:
   1. The Police Information and Referral line (Police I&R) from 0700-2200 Monday through Friday.
   2. If the Police I&R is closed, a mobile command center at the scene may be used; provided it is equipped with a laptop computer.
   3. If the Police I&R is closed, and a mobile command center with a laptop computer is not available, the activation may be made directly to the service provider via phone. The server provider is First Call,. This option will only be used if the other options are not available, and/or the tactical situation warrants it.
d. PENS takes time to organize so, if there is a chance PENS will be activated, the RU manager or designee should let the PENS operator know as soon as possible.
e. The RU manager or designee activates PENS by calling the appropriate PENS operator, and requesting a PENS activation.
f. The RU manager or designee requesting the activation will provide the following information to the PENS operator:
   1. Their name.
   2. A fax number where the report is to be sent if different than the preset one.
   3. Define the Geographical area to be notified. This may be done in one of four ways:
      a) Using a block grid (as if setting up a perimeter for a block search).
      b) By geographical boundaries such as freeways or rivers.
      c) By a combination of block grids and geographical boundaries.
      d) By designating a radius from a specific address.
   4. Fax a typed copy of the outgoing message to the PENS operator.
      a) Keep the outgoing message as short as possible, since longer messages require more time and resources to complete.
      b) If a fax is not available, the PENS operator will take the outgoing message, verbally over the phone; but it may delay the activation of PENS.

Closure of PENS (850.39)

a. At the conclusion of the incident, the shift commander will re-contact the PENS operator to activate a closure message.
b. Refer to the incident number to begin the closure routine.
c. The closure message will be sent to the phone numbers that received the outgoing message.
d. The closure message should be informative to the public, and, if possible, explain the reason for the original message. The message should be brief and to the point while thanking the citizens for their cooperation.
e. The PIO can assist in the formation of the message, and keep the information coordinated.
f. If the incident is concluded between 2200 and 0700 hours, the PIO can forward the closure message through the local media instead of incurring the cost of PENS.

Reporting Requirements of Using PENS
The on-scene supervisor will complete an After Action Report at the conclusion of the PENS incident. The After Action Report will include, but is not limited to, the following information:

  a. Type of incident.
  b. Time of day.
  c. Area covered by the activation (i.e., 10 block radius from 123 NE Anywhere street).
  d. Did the message system save him/her from deploying more officers? If not, why?
  e. In his/her opinion did the system work well in the situation? If not, why?

Hospital Requests for Fingerprinting/Photographing of Incapacitated Subjects (850.39)
If a member receives a request from a local hospital for assistance in attempting to identify a subject who is currently in the hospital’s care, through fingerprinting and/or photographing of the subject, and for whom, no other reasonable means of identifying the person in a timely manner is available, the member may assist in facilitating the request under the following circumstances:

  a. The request must originate from a local, licensed hospital, and must be only for the purposes of attempting to identify a subject who is currently unconscious, medically incapacitated or otherwise incapable of communicating with hospital staff.
  b. The request must be related to the hospital’s attempts to identify the subject in order to more specifically address the person’s emergent medical condition, notify next-of-kin, or identify a possible missing person.
  c. The request must be approved by a member with the rank of sergeant, detective or above.

Members may use portable IBIS fingerprint technology, in addition to traditional
fingerprinting techniques and photography, in order to identify subjects meeting the above criteria, provided the inquiry is not intended for criminal investigative purposes.

If an inquiry results in the positive identification of a subject, either by fingerprint (verified by a qualified member of the Forensics Evidence Division) or by photograph (verified by the officer), the member may provide the identified subject’s information to the hospital. This includes:

a. Name, date of birth, physical descriptors.
b. Known addresses and phone numbers.
c. Known family members and family contact information.
d. Member’s responsibility in attempting to assist a hospital in identifying a person is limited to providing the hospital the above information, when available.

Members will check the subject in LEDS/NCIC to determine if the subject has been entered as a Missing Person.

a. If a member identifies a subject as a Missing Person, the member will notify the originating agency of the subject’s status, by contacting PPB teletype to clear or send a “locate” on the Missing Person hit.
b. Members will not contact family members or associates of the subject directly, unless specifically authorized by a Missing Persons Unit (MPERS) detective.

Any time a member responds to a hospital and photographs and/or fingerprints any individual at the request of hospital staff, the member will:

a. Write a Special Report documenting the name and contact information of the staff member making the request, the reason for the request, the member’s actions taken and the results.
b. The report shall be sent to the Records Division and will be forwarded to MPERS.
c. Members will fax a copy of the report to MPERS and leave a detailed message for a MPERS detective prior to the end of shift for routine results, or immediately contact a MPERS detective, or the On-Call Homicide supervisor, via BOEC, if the situation may involve a high-profile case or may necessitate immediate detective involvement.
POLICY (860.10)

Inadvertent vehicle operator behavior oftentimes results in the commission of motor vehicle law violations. The Bureau recognizes this fact and strives to promote voluntary motor vehicle compliance on the part of traffic violators.

Members are encouraged to use discretion in deciding whether a verbal or written warning, citation issuance or physical arrest should be used in a particular situation.

The procedures contained within this directive will assist members who determine that the issuance of a citation and/or the arrest of a subject is the appropriate course of action.

PROCEDURE (860.10)

ORS 810.410 (Arrest and Citation) provides authority for police officers to issue citations and/or make arrests in traffic offense situations. When official action is deemed necessary, the Z-Citation (Z-Cite) will be used for:

a. Motor vehicle code violations, misdemeanors and certain suspended operator license offenses.

b. Bicycle offenses.

c. Pedestrian offenses.

d. Auto dealer licensing and sale offenses.

e. Auto wrecker licensing and sale offenses.

f. Offensive littering offenses.

Offenders arrested for traffic related felonies will be issued a C-Citation (C-Cite) or booked or lodged into the Multnomah County Detention Center (MCDC). Only
One DUII offense will be listed on a Z-Cite. Up to three charges may be listed on a Z-Cite if appropriate. The member will check the appropriate boxes indicating the existing weather and traffic conditions. If the violation involves an accident, the member will check the appropriate boxes. If an accident report is written, the entire section will be circled. Do not mix infractions and crimes on the same citation.

Members will complete the signature, I.D. number, division/unit number, days off and district number (i.e., 890) where the “offense occurred” sections of the citation.

One-Member Issuance/Arrest and Reporting (860.10)

Routinely, only one member will effect an arrest, advise arrestees of their Miranda rights and lodge the arrestee and/or issue Z-Cite and/or C-Cite.

Whenever more than one member is present at an incident, all reports will reflect the facts from the point of view of the arresting/citing member. All other members associated with an incident will be identified and their involvement detailed in the arresting member’s report. Refer to the Narrative portion of the Custody, Investigation and Continuation Reports, (i.e., cover officer-security, transporting member, finder of evidence).

When additional members observe elements, factors, or gather information pertinent to a case that is separate and distinct from that of the arresting member, they will complete a Special Report detailing their involvement.

Traffic Violations – General (860.10)

ORS 810.410(2) provides authority for officers to issue citations for violations committed in their presence. The following procedures will be followed when issuing a Z-Cite for a traffic violation:

a. The affidavit on the back of the Officers Notes (green) copy of the Z-Cite will be completed and signed by the issuing member.

b. The handwriting on the citation must be legible. Illegible citations may be dismissed.

c. Sergeants are responsible for ensuring that all citations and affidavits are filled out correctly, and are legible.

d. Any deficiencies will be referred to the issuing member’s supervisor for correction.

When a violator is issued multiple Z-Cites, all citations will indicate the same appearance date and time.

One member will issue all Z-Cites to violators who commit multiple traffic offenses. The only exception to this procedure will be when an infraction is committed out of the primary member’s presence and issuance is deemed necessary.

Members will write Custody Report across the top of the face of the Z-Cite when a Custody Report is written for any traffic offense.

All traffic offense citations, including those issued in conjunction with traffic
crimes, will be forwarded to Records for further distribution. Records will forward the report and citations to the appropriate RU.

Following normal processing, persons cited for traffic infractions will be released. Refer to ORS 153.110(3) and ORS 810.410.

Traffic Crimes (860.10)

a. Refer to ORS 810.410(1).

b. Traffic Misdemeanors General: Members may issue a Z-Cite or arrest and take into custody traffic misdemeanor offenders if the member observes the crime, or has probable cause to believe the person to be arrested committed the crime. A report will be prepared detailing the circumstances of all major traffic offenses, traffic crime situations. The report, DMV printout, a PPDS printout, printout of officer’s court unavailability record, and the Z-Cite will be placed in a completed Traffic Case Envelope and submitted to Records. The green (Officer’s Notes) copy of the Z-Cite will have Custody Report written on its reverse side and will remain with the Z-Cite. A copy of the officer’s notes will be placed in the case envelope.

c. Traffic Felonies General: A person arrested for a traffic felony will be booked into MCDC, or issued a C-citation.

d. Felony Case Requirements (Suspect booked or cited):
   1. Obtain a case number from Records’ Numbering Desk. Write the case number on all pages of the reports. (Records may require a sergeant’s approval.).
   2. Write Felony in front of the charge on both the case envelopes and on the Custody Report under charges (i.e., Felony DUII, Felony Hit and Run).
   3. Send original reports, in a case envelope, to Records, via standard procedure. Include a photocopy (not the original) of the citations. This case envelope does not need to be completely filled out as it is only used to hold the paperwork.
   4. Include two (2) copies of all related reports in a second case envelope.
      a) Make copies of both sides of all reports and forms to include DMV Implied Consent Forms.
      b) Include one (1) copy of all PPDS, CCH, DO7, and a full DMV driving history printouts (all pages).
      c) Include original citations, after copying them for Records.
   5. Place a note on the Morning Relief UDAR requesting that a morning relief officer hand deliver the case envelope to the Complaint Signer’s Office for delivery to the District Attorney. All cases with Custody Reports will be turned in prior to going off shift.
Driving While Suspended/Revoked – Violation, Misdemeanor and Felony (860.10)

The disposition of persons cited or arrested for driving with a suspended or revoked operator’s license varies, depending upon the classification of the suspension or revocation and the circumstances associated to the arrest.

Traffic Citations Issued in Conjunction With Criminal Charges (860.10)

All original Z-Cite and traffic-related C-Cites issued in conjunction with any non-traffic criminal charge will be attached to the reports and forwarded to Records. Records will forward original citations and copies of the reports to the appropriate RU.

Giving False Information/Misuse of Identification Card (860.10)

It is a Class A Misdemeanor to knowingly use or give a false or fictitious name, address or date of birth to a police officer for a violation of the motor vehicle code (ORS 807.620).

Arrests may be made when a driver has failed to carry or present a license when being lawfully stopped for violating the motor vehicle code. In such cases, the arrest will be made for the purposes of identifying the person so as to allow for correct citation issuance (ORS 807.570). Members will refer to DIR 640.00 for details related to processing and citation issuance.

Traffic Citations/Arrests within the City but Outside Multnomah County (860.10) Refer to DIR 820.00.

Citation Issuance by Private Persons (860.10)

ORS 153.058 allows private persons the right to commence citation issuance proceedings in traffic matters. When a private person is adamant about issuing a Z-Cite to another person and has the information necessary to identify both the offender and his/her vehicle, members will:

a. Complete a Special Report stating the allegation, the offending vehicle, the names and vital identifying information of all involved parties, as well as their statement. In some cases, members may conduct brief investigations to determine the name of the alleged violator.
b. Complete a Z-Cite, leaving the court time appearance, date and signature spaces blank.
c. Direct the complaining person to appear at the Circuit Court Clerk’s Office Traffic Department, Multnomah County Courthouse, 7 to 14 days after the date of investigation in order to swear to, and sign the Z-Cite.
d. Send all copies of the Z-Cite, along with a copy of the Special Report of the incident, to the Circuit Court Clerk’s Office Traffic Department.
Traffic Collisions (860.10)
ORS 810.410(4) provides authority for police officers to issue Z-Cite and/or make traffic crime arrests at the scenes of traffic collisions under the following conditions:

a. The officer witnesses an offense.
b. The officer has probable cause to believe a person involved in the accident has committed a traffic offense (refer to DIR 640.50).

DUII – Non-Injured Suspect (860.10)
Members contacting intoxicated operators may call upon Traffic units for assistance. Members of the Traffic Division may assist by processing and citing the operator. Members initiating the stop will complete a Special Report detailing his/her observations.

If Traffic units are not available, members will exercise discretion in determining the appropriate action. If the member determines that an arrest is appropriate, he/she will conduct the proper field sobriety tests to establish probable cause, administer the breath examination, and issue the appropriate citations and documents to the arrestee. Members who are not certified to administer the breath test will call upon a certified operator for assistance.

DUII – Injured Suspect (860.10)
ORS 813.140 allows for the seizing of body fluids (blood and urine) for the purposes of determining the presence of intoxicants in DUII cases. When operators suspected of being under the influence are injured and transported to medical facilities, members may make contact at the hospital. When the individual’s medical condition prohibits release within a reasonable time to allow for a breath examination, the member may attempt to obtain a blood or urine sample. (See Obtaining Evidence).

a. Conscious Individuals: When injured subjects are conscious, consent must be obtained prior to the obtaining of body fluids for the purposes of evidentiary use in DUII cases. Depending upon the circumstances, the request may be made before an arrest (if probable cause is lacking and the results of the test would be used later to support the arrest and citation issuance) or following an arrest (if probable cause is present). A consent form will be signed which indicates that the subject is aware of, and knowingly consents to, the drawing of blood or providing a urine sample for the purposes of determining the presence and amount of intoxicants in the blood. See Bodily Substance/Medical Examination Seizure Form. After samples are obtained, the requesting member will take possession and issue a Property Receipt.

b. Refusal to Consent: When injured DUII operators refuse to consent to the drawing of blood or the providing of a urine sample, members must base their case on the facts present in the same manner as if the individual
was able but unwilling to consent to a breath examination. There are no operator license suspension sanctions for refusing to provide body fluids. Members may contact a member of the Traffic Division for assistance in determining the ability of pursuing a search warrant.

c. Unconscious Individuals and Those Incapable of Consenting: When probable cause exists and individuals are unconscious or in a state rendering them incapable of giving consent, ORS 813.140(2) allows for the taking of body fluids. A consent form will be completed, and the portion indicating that the subject was unconscious or incapable of giving consent will be completed. The requesting member will take possession of the sample and issue a property receipt.

Non-Traffic Criminal Charges (860.10)

In many instances, non-traffic criminal charges (i.e., assault, recklessly endangering, manslaughter) provide avenues for the seizing of body fluids. In such cases, contact a Traffic Division Major Crash Team supervisor for assistance with the investigation and possible search warrant preparation. Contact with a Major Crash Team supervisor may be made through BOEC.

In these situations, bodily substances or the results of medical examinations may be seized through consent of the individual or, if probable cause exists, through the exigent circumstance exceptions to the search warrant requirements. In such cases, it is not necessary that the subject be placed under arrest prior to the seizure.

ORS 133.621 provides civil immunity for licensed physicians or persons acting under their control or direction who withdraw body fluids, obtain substances, or perform medical tests and procedures to gather evidence in criminal investigations at the request of a police officer. This immunity is not conditioned upon the existence of probable cause or the existence of a search warrant or court order. Nothing in this section of law shall be interpreted as requiring such persons to act at the request of a police officer.

Obtaining Evidence (860.10)

When determining that the collection of body fluids is appropriate, members will make their request to the medical personnel involved in the case. ORS 813.160(2) indicates that licensed physicians or qualified persons acting under their direction who withdraw bodily substances in a medically acceptable manner at the request of a police officer shall not be held civilly liable for their actions. Members desiring to draw blood will request that 10cc be collected in a gray stopper tube containing sodium fluoride. A nonalcoholic cleanser will be used to clean the surface area of the drawing. The presence of controlled substances and narcotics in body fluids is detected through urinalysis. Members requesting urinalysis should attempt to obtain a minimum 300cc sample. After samples are obtained, the requesting member(s) will take possession and issue a Property Receipt to the hospital.

During normal business hours, evidence will be delivered to the Oregon State
Police Crime Lab. During non-business hours, members will use the refrigerators located in the Justice Center’s lower level Property Room. Regardless of the placement of the evidence, an appropriate lab request form will be completed and left with the evidence.

**DUII Report Processing (860.10)**

The following documents will be completed and/or included in all DUII cases:

a. A Custody Report (to include detailed field sobriety tests).

b. A DUII Interview Report.

c. An Intoxilyzer Operator’s Checklist and the Intoxilyzer Test Record (when the defendant submits to a breath test).

d. DMV’s Implied Consent: Combined report, Notice of Intent to Suspend, and Temporary Driving Permit Form, if applicable.

e. The confiscated Oregon Operator’s License (ODL) or Permit. Do not confiscate out-of-state drivers’ licenses.

f. Z-Cite.

g. The Bodily Substance/Medical Examination Seizure Form, if applicable.

h. DMV DO-7 and Restriction 9-D33 printouts, if applicable.

i. Special Report(s) written by other members, if applicable.

j. Accident/Hit and Run Report(s), if applicable.

k. Property Receipts, if applicable.

l. Officer’s court unavailability record.

All original documents, reports, printouts, all copies of the DMV Implied Consent Form with the ODL or permit (if confiscated) stapled to the front of the DMV Implied Consent Form, and a photocopy of the confiscated license or permit will be placed in the Traffic Case Envelope and forwarded to Records for distribution.

**Seizure of Operator Licenses (860.10)**

When a subject is cited for DWS/DWR and the person has presented an ODL to the member, the member will seize the ODL, issue a Property Receipt, and place the ODL in the Property Evidence Unit, either as evidence or for forwarding to DMV.

a. If an ODL is seized as evidence, a Z-Cite for Using an Invalid License (ORS 807.580) may be issued, and the appropriate entry will be made on the Custody Report.

b. If the license is seized for return to DMV, the member must write across the face of the PED Receipt, Forward to DMV. The Property/Evidence Division will forward all seized licenses, so noted, to DMV periodically.

**Juveniles (860.10)**

a. Violations: All persons under 18 years of age will be arraigned for the following offenses using the Adult Circuit Court schedule.
1. Offenses defined in the Oregon Vehicle Code and relating to the use or operation of a motor vehicle.
2. A boating offense.
3. A game offense.

On all other offenses write “TO BE DETERMINED” on the bottom of the citation. Do not enter a date, time or location for court appearance. Bail will be indicated. Any violation citations issued in conjunction with traffic crimes will be attached to the traffic crime case.

b. Crimes: All persons under 18 years of age cited for traffic crimes will be issued a Z-Cite using the following procedures:
   1. The word Juvenile will be printed on the top of the citation.
   2. The parent(s) or guardian(s) name(s) will be printed in the right hand vertical margin Name section.
   3. The appropriate arraignment information will be indicated.
   4. The Bail section will be left blank.
   5. A Custody or Special Report will be completed detailing the case.
   6. All citations will be attached to the written report and forwarded to Records. Following data entry, Records will forward the citations and a copy of the report to the Circuit Court.

Citation Voidance (860.10) Refer to DIR 860.40.

Notification of Witnesses/Complainants (860.10)

In a traffic violation case where the issuing member is responsible for prosecuting the case, Traffic will notify all non-Bureau witnesses/complainants of the trial information.

860.30 CITATIONS-IN-LIEU-OF-CUSTODY
Index: Title
Refer: ORS 133.225 Arrest By Private Person
ORS 162.385 Giving False Information to a Police Officer for CILC
DIR 640.00 Identification Division Procedures
DIR 660.10 Property and Evidence Procedure
DIR 870.30 Processing of Persons into MCDC
DIR 830.00 Arrest Without Warrant
DIR 880.30 Security Deposit Setting
DIR 870.50 Arrest, Felony Processing
Current Multnomah County Sheriff’s Special Order on Charges Acceptable for Booking
Victim/Complainant Information Form (Operations Branch)
POLICY (860.30)

To enhance communication and understanding between the community and the Bureau, members will ensure that victims and complainants understand the complaint signing process. Members will also ensure that victims and complainants understand the associated responsibilities when booking and lodging an arrested person into custody or issuing that person a citation by completing a Police Bureau “Victim/Complainant Information Form” in all cases where a private (rather than public) victim exists.

Bureau members will follow current MCDC Special Orders and current Bureau policy when deciding whether to book and lodge an arrested person in jail or issue them a citation. Citations will be issued for all offenses that are classified as violations or infractions under the ORS or Portland City Code. Violation or infraction level offenses do not carry jail time as a possible sentence.

PROCEDURE (860.30)

Directive Specific Definitions

Booking: The act of presenting an arrested criminal suspect to MCDC Intake for presentation to a magistrate for charging and complete processing which includes fingerprinting, photographing, medical and recognizance interviews, and cell assignment. Booked suspects become part of the official detention center population.

Bookable offender: Any arrested person presented to MCDC Intake on any criminal charge, which may or may not employ the use of a citation.

Bookable offense: Any ORS Statute or City Code Ordinance listed in the current MCDC Special Order. Persons arrested for one or more of these listed ORS Statutes and City Code Ordinances are allowed to be booked into MCDC Intake for either complete processing without a citation or for mug and print processing with a citation.

Booking for mug and print: Any arrested person who has been issued a citation that is lodged into MCDC Intake for identification processing (mug and print) per the Bureau’s requirement or as required by state statute prior to release. This situation employs the issuance of C-Cite and Z-Cite.

Lodging: Act of presenting an arrested person to MCDC Intake only for the purpose of identification verification to allow for the proper issuance of a citation. Lodged suspects do not become part of the official detention center population.

C-Citation (C-Cite): A citation in lieu of custody that shall be used whenever an arrested person is cited for at least one felony crime (including felony traffic crimes) with or without additional misdemeanors crimes which can be either from the ORS or the City Code.

Z-Citation (Z-Cite): A citation in lieu of custody that shall be used whenever an arrested person is cited for at least one misdemeanor crime (including misdemeanor traffic crimes) and shall be used for all violation or infraction level offenses (traffic and non-traffic violations).
POLICY AND PROCEDURE

Authority to Issue Citations (860.30)
ORS 133.055 allows for a citation to be issued when a person is arrested for a Class C felony, PCS I, or Delivery of Marijuana for Consideration. Also, it allows for a citation to be issued when a person is arrested for any misdemeanor or violation level offense except when an assault, harassment, menacing, domestic non-criminal menacing or violation of a restraining order has occurred in a domestic relationship incident.

Community Safety Exceptions (CSE) (860.30)
A community safety exemption allows a member to book and lodge an arrested person who is charged with a felony or misdemeanor crime that is not a bookable offense under the current MCDC Special Order, if the following criteria are met:

a. The offender is bookable.
b. The criminal offense involved violence, or a potential for violence exists if the defendant is released.
c. In the member’s opinion, there exists the possibility of a recurrence of the same or more serious crime.

Using a CSE:

a. Member responsibilities:
   1. The arresting member must get approval for a CSE from his/her sergeant prior to transporting the subject to MCDC.
   2. Once approval has been granted, the arresting member will book the subject at MCDC (see DIR 870.30).

b. Sergeant responsibilities:
   1. The sergeant receiving the request for a CSE will contact the MCDC Intake sergeant for approval.
   2. Upon approval, the sergeant will instruct the arresting member to book the subject at MCDC (see DIR 870.30).
   3. If approval is not granted, the sergeant will inform the arresting member that the CSE request has been denied.

One Member Issuance: Arrest and Reporting (860.30)
Routinely, only one member will effect an arrest and advise the arrested person of his/her Miranda rights and issue the citation. Whenever more than one member is present at an incident, the other members associated with the incident will have their involvement/association to the case detailed in the arresting member’s report unless that member was involved in the arrest in some manner or the incident involves a situation where a member was injured or was attempted to be injured. Refer to the narrative section of the Custody, Investigation and Continuation Reports (i.e., cover, transport, finder of evidence, etc.). Additional members observing elements, factors or gathering information pertinent to the case, which is separate and distinct from that of the arresting member, will complete a Special Report detailing their involvement.
Multiple Arrest Situations (860.30)

The supervisor-in-charge of a mission, demonstration, or other such event that has the potential for creating mass misdemeanor arrests, is to notify the MCDC Officer-in-Charge (MCDC-OIC), the Bureau’s Complaint Signer’s Office and the appropriate DA Unit prior to the event. Misdemeanor arraignments will occur not more than 30 days from the date of arrest, but as close to 30 days as possible. Arraignment dates should be distributed over several days beginning with latest available court date and working back (30 days if possible). Whenever possible, do not cite more than 8-10 subjects for any single date. Monday and Friday arraignments are to be avoided.

Arrests Requiring Mandatory Processing for Mug and Print (860.30)

ORS 181.511 and 181.515 require that all persons arrested on the following charges be fingerprinted and photographed at the time of arrest, even if they are to be cited in lieu of being taken into custody:

a. Any felony.

b. Any misdemeanor or other offense involving sexual conduct.

c. Any crime involving the possession or delivery of a controlled substance. Possession of less than one ounce of marijuana is a violation and, therefore, is not subject to being booked into MCDC.

Identity Questions (860.30)

In those situations where the reasonable identity of an arrested suspect is either unknown or in question, the arresting member will follow the procedures outlined in DIRs 640.00 and 870.30.

MCDC Processing of Persons Subject to Citation (860.30)

When all other means of identification verification have been exhausted (as discussed in DIR 640.00), arrested persons who are eligible for booking or lodging will be processed into MCDC under the name presented by the offender or Jane/John Doe. The narrative portion of the Custody Report will contain language articulating all efforts made to determine the identity of the arrested person prior to taking them to MCDC Intake for the processing.

If the MCDC or Police Bureau ID staff are able to determine the true name of the arrested person being processed at MCDC Intake, and the arresting member is still present, he/she will add the Furnishing False Information charge onto his/her custody or onto a citation (along with the original felony or misdemeanor crime that the person was arrested for) and issue that citation to the arrested person. If the arresting member is not still present, the matter will be handled by MCDC and the DA’s Office, as discussed in DIR 640.00.
Processing of Jailable Violent Suspects Who Have Been, or Are to Be, Issued a Citation (860.30)
Members may present cited (C-Cite and Z-Cite) violent suspects to MCDC Intake for processing, provided the suspect is eligible for booking or lodging. This includes persons subject to the Alcoholic Treatment Act (DIR 850.10) who are charged with criminal offenses during the custody situation or following placement in Detox.

Physical Evidence (860.30)
Seized evidence will be processed in the same manner as in other arrests as outlined in DIR 660.10.

Warrant Checks (860.30)
Prior to releasing a cited suspect or transporting an arrested suspect to MCDC, members will check for outstanding warrants using the name given by the suspect. Any warrants on file will be served. MCDC Intake will serve outstanding warrants on those suspects found to have provided false information following the arresting member’s departure.

Citable Offense Arrests Made in Conjunction with Other Situations (860.30)
a. Warrant Service in Conjunction with Other Arrests:
   1. Mandatory misdemeanor arrests (i.e., arrests made under the Family Abuse Prevention Act) associated with the service of a warrant shall be booked and not cited. All additional felony and misdemeanor charges shall be added to the custody report for booking and will not be cited.
   2. All felony arrests associated with the service of a warrant shall be booked and not cited.
   3. All misdemeanor arrests associated with the service of a warrant will not be booked (even if the charge is bookable). Instead, the suspect will be issued a citation for the new misdemeanor crime(s) as follows:
      a) The warrant charge(s) the suspect is being booked on will be listed on the custody report prior to booking.
      b) The charges the suspect is being cited for (and not lodged on) will not be listed on the custody report until after the member leaves MCDC (MCDC does not need a copy of those citations).
   b. Misdemeanor arrests made in conjunction with a felony arrest, under which the suspect will be booked and lodged in MCDC, will also be added to the custody report for booking along with the felony charge(s) rather than cited.
Outside Cite-In-Lieu Warrant Arrest (860.30)
Multnomah County Cite-in-Lieu warrants and all other warrants will be processed as follows. When a member arrests a suspect on an outside Cite-in-Lieu warrant, the following procedures will be followed:

a. The member will have BOEC Service Net confirm the warrant and obtain all necessary information to complete the C-Cite (i.e., court date and location).

b. The member will call Teletype stating that he/she has an outside Cite-in-Lieu warrant. The member will give Teletype the information they request to clear the warrant with the outside agency.

Private Person (Citizen) Issuance (ORS 133.235) (860.30)
When an arrest has been made by a non-Bureau member or on behalf of a non-Bureau member (including private security agents):

a. The complainant/victim will be informed that he/she must contact the DA’s office and request that the incident be reviewed for possible prosecution.

b. The involved member will ensure that the complainant/victim is familiar with how to contact the appropriate DA Unit. To facilitate this procedure, the member shall issue and explain to the non-Bureau member a completed Police Bureau Victim/Complainant Information Form. If the suspect was lodged at MCDC, the victim will be instructed on the form to contact the D.A.’s office by 1100 hours the next business day. If the suspect was issued a citation, the victim will be instructed on the form to contact the D.A.’s office no sooner than two business days after the arrest.

When private security agents make arrests at business establishments, members will not advise those suspects of their constitutional rights, unless it is deemed necessary to conduct an independent investigation. In such cases, the member’s reports will detail his/her involvement.

Voiding Citations (860.30)
All citations (C-Cites and Z-Cites), which have not been issued but must be voided, will be forwarded to the member’s RU manager for destruction. In cases where an issued citation needs to voided, but it is not retrievable, members will:

a. Complete a Circuit Court Officer’s Request to Void Non-Issued Uniform Traffic Complaint (Z-Cite) (DC500, 8-1-79) and staple it to the citation.

b. The District Attorney’s office is notified through an entry into the DA’s database.

c. Members desiring to continue the complaint issuing process will recite the suspect, or if unable to do so, may pursue a warrant through the Complaint Signer’s Office.
860.40 CITATIONS AND PARKING TAGS
Index: Title
Refer: Circuit Court Void Request Forms (Traffic)

PROCEDURE (860.40)
Void Request of Uniform Traffic Citation by the Member

Three general conditions may exist when a member wishes to request that a citation be voided by the court.

a. Members who discover that a mistake was made while filling out a citation, before the summons copy is given to the defendant, may issue a new one and request that the incorrect citation be voided. A new citation is preferable to erasures, crossing out or altering (a changed condition is subject to legitimate objections by defense counsel).

b. The citation to be voided will not have the word VOID written across the face. Voiding a citation is a prerogative of the court. The Uniform Traffic Citation Void Request Form will be completed explaining the error and include the number of the citation issued in lieu of the original citation. Members will staple all copies of the original citation to the void form, obtain the approval of the RU manager and forward the materials to the Circuit Court.

c. If while writing a citation (or after its completion) the member decides that the summons should not be issued, the procedure to request cancellation is the same as described in section a above.

d. The third condition would be after a citation has been issued and the summons copy cannot be recovered. In this case, the Uniform Traffic Citation Void Request Form should not be used. A memo explaining the circumstances should be directed through channels to the RU manager for approval. A memo is preferable to the form because it will be noticed and receive immediate attention from the court. Mistakes on the citation, such as incorrect charge or location of offense, etc., can only be amended in open court by a motion of the member or DA.

Void Request of Parking Citations (860.40)

If a member has cause to seek cancellation of a parking citation, the member should fill out the Parking Tag Void Request Card.

Members who discover that a written mistake has been made while filling out a parking citation before the violator copy is issued, may issue a new parking citation. To void the original parking citation, the member will prepare a Circuit Court Void Form, explain the error and include the number of the new parking citation. The word void must not be written on the parking citation. Both copies of the parking citation must be attached to the void form and forwarded to the Circuit Court.
Members who start to fill out a parking citation for issuance, but decide not to issue a parking citation, shall fill out a Circuit Court Void Form, explaining why the parking citation was not issued, following the same procedure as set out above.

Members discovering a written mistake after the violator copy has been issued will forward the parking citation to the Circuit Court in the usual manner. The issuing member will note on the Circuit Court Void Form that the defendant has a copy of the citation.

Void Request of Parking Citations (Police Vehicles) (860.40)

A request that the court dismiss a parking tag issued to a police vehicle by another party must be made by letter rather than the Void Request Form.

a. It is the policy of the Bureau that members will be subject to parking regulations the same as any citizen. However, the emergency nature of law enforcement will occasionally require that Bureau vehicles will be parked in violation. If a parking citation results, it may be turned in with a letter addressed to the Court Administrator requesting dismissal.

b. Requests for dismissal of these parking citations must be on letterhead stationery, have an adequate explanation of the official business being conducted, and be approved by the individual’s RU manager.

Cancellation of parking citations for members’ private vehicles will not be considered except for those reasons established by the court as applicable to the general public. The Bureau will not approve a letter requesting dismissal of parking tags issued to a member’s private vehicle because he or she had to work overtime.

An exception where the Bureau might consider approving a request to void a parking tag on an employee’s vehicle would be when documentation can be provided that the car had prior approval to be used on city business.

870.20  CUSTODY AND TRANSPORTATION OF SUBJECTS

Refer:  ORS 131.605  Stop and Frisk, defined
         ORS 131.615  Stopping of Persons
         ORS 133.225  Arrest by Private Person
         ORS 133.310  Authority of Peace Officer to Arrest Without Warrant
         ORS 181.515  Crimes for which Criminal Offender Information is Required
         ORS 426.228  Custody; Authority of Peace Officer; Transporting to Facility; Reports; Examination of Persons
         ORS 430.399  When Person Must be taken to Treatment Facility; Admission or Referral; When Jail Custody may be Used; Confidentiality of Records
         ORS 810.410  Arrest and Citation
PROCEDURE (870.20)
Directive Specific Definitions

Maximum restraint or maximum restraint position: Placing an in-custody person with hands secured behind the back, legs secured together, and the legs and hands connected together behind the back of the subject with the subject’s legs flexed at the knees. The length of the restraint cord used to secure the hands to the feet will be such that the lower legs are no closer than a 90-degree angle in relation to the person’s trunk.

Restraint cords: Flexcuffs, or other devices (i.e., cords, chains or straps) used to temporarily restrict a prisoner’s movement.

Handcuffing (870.20)
In an attempt to minimize the risk of personal injury to members and citizens during arrest situations, all members will handcuff, as soon as possible, all persons arrested:

a. Under the authority of a warrant or a court order.
b. On probable cause pursuant to ORS 133.310 and 133.225.

In addition, members have authority to handcuff persons under the following circumstances:

a. Investigatory stops (ORS 131.605-625). Members have authority to handcuff a person when the member has a reasonable suspicion, based on articulable facts that the person has committed a crime, and:
   1. A reasonable suspicion based on articulable facts that the person will flee if not restrained.
   2. A reasonable suspicion based on articulable facts that the person might present an immediate threat of serious physical injury to the member or others present if not restrained (per Oregon and Federal law).
   3. The person is, or the member reasonably suspects based on articulable facts that the person will be physically uncooperative with the member in a way that interferes with the member’s ability to pursue the investigation or conduct the stop safely if the person is not restrained.
4. The authority to handcuff during investigatory stops continues only as long as one of the circumstances listed above exists, or as long as continued restraint serves to avoid one of the circumstances. If a change in situation eliminates all justification for the handcuffing, and no member believes that any of the circumstances listed above will exist if the person is released from the handcuffs, the handcuffs must be removed.

b. Detentions for investigation of infractions and violations: Members have authority to handcuff a person when the member has authority to detain the person under ORS 133.072 (Non-traffic Violation in Presence of Officer) or ORS 810.410(2) (Traffic Infraction Investigation and Citation), and:

1. A reasonable suspicion based on articulable facts that the person will flee if not restrained.
2. A reasonable suspicion based on articulable facts that the person might present an immediate threat of serious physical injury to the member or other present if not restrained (per Oregon and Federal case law).
3. The person is, or the member reasonably suspects based on articulable facts that the person will be, physically uncooperative with the member in a way that interferes with the member’s ability to pursue the investigation or conduct the detention safely if the person is not restrained.

4. The authority to handcuff during investigatory stops continues only as long as one of the circumstances listed above exists, or as long as continued restraint serves to avoid one of the circumstances. If a change in situation eliminates all justification for the handcuffing, and no member believes that any of the circumstances listed above will exist if the person is released from the handcuffs, the handcuffs must be removed.

c. Other authority to handcuff: Members have authority to handcuff a person when they have authority to detain under the following relevant statutes:

1. Detox holds (ORS 430.399).
2. Peace officer custodies (ORS 426.228).
3. Detentions for conducting mandatory fingerprinting and photographing of sex offenders and Uniform Controlled Substances Act violators (ORS 181.515).
4. Detentions to determine identity of a person for the purpose of issuing a citation for a violation or infraction (ORS 153.039).
5. A reasonable suspicion based on articulable facts that the person will flee if not restrained.
6. A reasonable suspicion based on articulable facts that the person might present an immediate threat of serious physical injury to the member or others present if not restrained (per Oregon and Federal case law).

7. The person is, or the member reasonably suspects based on articulable facts that the person will be, physically uncooperative with the member in a way that interferes with the member’s ability to pursue the investigation or conduct the detention safely if the person is not restrained.

8. The authority to handcuff during the above situations continues only as long as one of the circumstances listed above exists, or as long as continued restraint serves to avoid one of the circumstances. If a change in situation eliminates all justification for the handcuffing, and no member believes that any of the circumstances listed above will exist if the person is released from the handcuffs, the handcuffs must be removed.

d. Execution of search warrant at private residence: Members have authority, under ORS 133.605(1), to handcuff people they encounter on the premises as is reasonably necessary for the execution of the search warrant with all practicable safety.

e. Execution of search warrants at business premises open to the public (restaurants, bars, public area of offices, etc.): Under the common law of Oregon, members engaged in a lawful police activity can justify the handcuffing of a person who is not a suspect if it reasonably appears under the circumstances that handcuffing is necessary to protect a member or others from physical harm. Resistance to handcuffing under these circumstances does not support a charge of Resisting Arrest because the person is handcuffed not as part of an arrest, but only as a means of self-defense or defense of others. Because these kinds of detentions are not based on criminal conduct and the justification for the handcuffing can dissipate rapidly, members must pay close attention to the circumstances which justify these handcuffings, and if a change in circumstances eliminates all justification for the handcuffing, the handcuffs must be removed.

f. Regardless of the situation, the handcuffing of an individual and its justification will be documented in the member’s notebook and in an appropriate police report, per DIR 1010.20.

**Handcuffs (870.20)**

Only Bureau approved handcuffs will be used and require the following characteristics:

a. A ratchet locking system.

b. Of solid metal construction.
c. With a double locking mechanism.
d. Operated by a standard skeleton key.
e. With an interlocking metal chain consisting of two links.
f. Connected to the handcuffs by an eye bolt that rotates freely on the metal
cuff, engraved with a manufacturer’s serial number, and labeled with the
officer’s DPSST number.

Handcuffs will be applied with the person’s hands placed behind their back. When possible, handcuffs will be applied so as to not inhibit blood circulation. Handcuffs will be double locked prior to transport to prevent accidental tightening and to reduce the possibility of escape. If the handcuffs are cutting off circulation, the member will loosen them at the earliest safe opportunity to do so.

All individuals must be handcuffed prior to entering a custodial, detoxification or hospital facility.

Alternate means of securing a subject may be used if the person in custody has, or reasonably appears to have, an injury or condition that would be further aggravated by handcuffing.

a. Flexcuffs: Flexcuffs may be used in lieu of regular handcuffs when hand-
cuffs are not available or when it is practical for the situation. Flexcuffs may also be used as leg restraints when necessary to restrain violent or unruly persons. Flexcuffs should be removed with wire cutters, unless emergency conditions exist which make it impractical to obtain wire cutters.

b. Restraint Cords: Members are authorized to use hobble restraint cords when necessary to subdue or secure a violent or unruly person. Restraint cords should not be used in lieu of handcuffs.

Transports (870.20)
Member Responsibilities
   1. Members are responsible for monitoring the condition of persons taken into their custody. In order to avoid possible asphyxia or death due to restricting or blocking the normal function of the lung or airway, persons who have been handcuffed will not be allowed to remain in a face down position; except when necessary for the safety of members. In particular, members should closely monitor subjects placed in maximum restraint positions who are markedly obese and/or under the influence of substances.

   2. After restraint devices have been applied, the person should immediately be placed in a position to allow free movement of the chest and stomach for breathing functions. The best options are upright seated position or lying on a side with legs no closer than a 90-degree angle. The intent is to not allow body weight or the restraints to restrict the
lungs’ ability to fill and expel air.

3. Special attention will be given to persons who must be restrained in custody and exhibit bizarre, violent and paranoid or deranged behavior. A subject in this condition who suddenly becomes quiet and/or appears to be unconscious may be subject to drug-related death. As conditions dictate, members will exercise good judgement in administering aid and calling for emergency medical services to respond.

4. Prisoners who are placed in a maximum restraint position will be transported to the appropriate facility in a two-member car. The passenger member will constantly monitor the prisoner’s condition. Members will inform the facility the prisoner is transported to that the maximum restraint position was used on him/her during transport.

5. Members will notify a supervisor in all cases where a prisoner is under maximum restraint prior to transport.

b. Routine transportation of prisoners or others: All persons should be secured in a seatbelt in an upright position and must be secured with less than one inch of movement at the belt path. Child safety seats must be used for all children under four years of age and 40 pounds or less.

1. Rear-facing child safety seats, placed in the back seat of a Bureau vehicle with standard back seats, must be used for children under one year of age. A rear-facing child safety seat must not be put in the front seat of a vehicle with a passenger side air bag, whether the air bag can be deactivated with a switch or not.

2. Children between one year and four years must be in an upright, forward-facing child safety seat, and may be secured in the front seat of a vehicle with passenger side bag.

3. Child safety seats will not be used in the back seats of caged patrol cars with the hard plastic seats and no lap belts. Children must not exceed the height and weight limits of the child safety seat.

4. Safety belts will be used for children over six years of age and over 60 pounds. Children between four and six years of age, between 40 and 60 pounds, must be in a booster seat using the vehicle’s safety belts to secure it.

c. To provide for the safe and humane treatment of persons in custody, transporting members will:

1. Drive in a manner so as to provide as little discomfort as possible to passengers.

2. Not leave the vehicle unattended while persons in custody are being held inside.

3. Not engage in personal activities (lunch, coffee, etc.), engage in pursuits or cover other calls while persons in custody are in the vehicle.
4. Ensure only one violent prisoner at a time is transported in a police vehicle.

d. Circumstances will arise which dictate alternate courses of action. However, under normal circumstances members will:
1. Transport no more than 10 persons in the patrol wagon or two persons in a police car.
2. Deliver person(s) in custody to the appropriate holding facility, detective section, youth service center or home without delay and by the most direct route.

e. Members will notify the dispatcher and note the times of arrest (10-61), departure from the arrest scene (10-62), arrival at the detention facility (10-64) and return to service (10-8).

f. The person in custody will be checked for outstanding warrants.

Supervisor Responsibilities (870.20)

When notified that a subject is under maximum restraint, a supervisor will determine the best method of restraining and transporting the subject. The supervisor will respond to the scene if he/she can do so in a timely manner. If a timely response is not practical, the supervisor may direct the appropriate restraint and transport via telephone or radio.

### 870.25 TEMPORARY HOLDING ROOMS

Index: Title
Refer: DIR 410.00 Injuries/Occupational Illness/Disability/LOS
DIR 640.70 Fingerprinting and Photographing Juveniles
DIR 850.30 Juveniles, Custody
Juvenile Secure Custody Log (Intranet)

POLICY (870.25)

Prisoners in a precinct/division will be restricted to holding rooms, and the area adjacent to the rooms, with the highest priority placed on the security and safety of Bureau members and other persons. The holding rooms will be disinfected weekly, or more often as needed, to ensure a safe environment for members and prisoners.

PROCEDURE (870.25)

Directive Specific Definitions

Contamination: When a holding room, immediate area or vehicle comes in contact with body fluids or suspected Staph/Methicillin Resistant Staphylococcus Aureus (MRSA) infection.

Holding cell: A room used to temporarily hold a subject while a member com-
pletes a preliminary investigation prior to booking and/or citing, and/or verifies the subject’s identification. Juvenile status offenders will not be placed in holding cells.

Immediate area: Part of a precinct/division that contains the holding rooms. The immediate area may be physically divided by a door or implied by the design of the building.

Prisoner: Any subject taken into custody by a member, whether it is voluntary or not.

Responsible member: A sworn member that is responsible for a prisoner.

Securing a vehicle or holding cell: Sealing it from use with a bio-hazard warning until it can be disinfected.

Sign in/sign out log (Adult and Juvenile): A log that is maintained in the immediate area for documenting when prisoners are placed in and removed from holding rooms. There will be an entry in the log for each prisoner placed in a holding cell, no matter how long they were there. Each log entry will contain the following information: the name of the member responsible for the prisoner, the name of the prisoner, the date and time the prisoner was placed into and removed from the holding room and an indication the holding room was searched after the removal of the prisoner. In addition to the above, the juvenile log will include age or DOB of the offender, the offense, and the disposition of the juvenile.

Staph/MRSA skin infection: A communicable disease that can be spread by contact between infected skin and healthy skin, and infected objects and healthy skin. Staph/MSRA may be present in a pimple, rash, boil, blister or open wound, and can often look like a spider or insect bite. If left untreated, Staph/MRSA may progress from a skin irritation to a serious bone or blood infection. Staph/MRSA can live for up to 24 hours on infected objects and skin.

**Juvenile Requirements (870.25)**

The purpose of detaining juveniles in holding rooms is to secure only those that have engaged in criminal behavior. It is preferable to detain compliant, minor offenders in non-secure areas. Juveniles who commit crimes may be held in a secure manner for up to five hours. It is not permitted to hold status offenders, non-offenders, violators, alien juveniles, or civil-type juvenile offenders in a secure manner at any time (see Directive 850.30 Juveniles, Custody for more detail). These juveniles may be detained in a non-secure area of the facility for processing while awaiting transportation.

Juveniles will not have contact with adult prisoners. Contact is defined to include any physical or sustained sight or sound contact. Brief and/or inadvertent contacts between juvenile offenders in a secure custody status and adult prisoners in holding cells do not count as violations.
Members Responsibilities (870.25)

a. Arresting member:
   1. Ensure that all prisoners transported to a precinct/division are restricted to the precinct’s/division’s holding rooms and/or the immediate area. Prisoners will not be allowed in the report writing area of the precinct, even if it is part of the immediate area.
   2. Prisoners will remain handcuffed at all times while in a holding room or the immediate area. The investigation and interview process is often best served by unhandcuffing prisoners while they are detained in holding cells and during interviews. Approval to unhandcuff prisoners must be obtained from a sergeant or detective or by exceptions authorized by specific division SOP. Safety considerations require that movement between cells and interview rooms is generally done with prisoners handcuffed.
   3. Inspect the holding room for hazards and contraband prior to placing the prisoner in it. If either is found, document their existence and take the appropriate action.
   4. Search and remove all non-essential property from the prisoner prior to placing the prisoner in the holding room. This includes, but is not limited to, objects that can be used as a weapon or means of escape, and non-essential clothing such as belts, shoes and jewelry. All removed property will accompany prisoners to booking, or be returned upon release.
   5. Write the day’s date, the time, the prisoner’s name, and the arresting member’s name on the board outside the holding room.
   6. Complete the prisoner entry in the sign in/out log.
   7. Ensure the prisoner is monitored at all times. This requires the following:
      a) A sworn member must be either in the immediate area or report writing room at all times.
      b) The responsible member will not leave the immediate area until another sworn member is present and responsibility has been delegated for the observation and custody of the prisoner.
      c) Members will continuously check the welfare of the prisoner every 15 minutes or more frequently if needed.
   8. Report any contamination to a precinct shift supervisor.
   9. If the prisoner is a juvenile:
      a) Ensure all information is written into the Juvenile Secure Custody Log.
      b) Juveniles must be placed into separate holding rooms from adults.
      c) Juveniles may not be held in a police precinct for more than five hours.

b. Supervisor responsibilities:
1. Ensure the sign-in/sign-out logs are maintained.
2. Ensure the SOP for contaminated holding rooms and vehicles is adhered to.
3. Ensure the special procedures for juveniles are followed.

c. RU manager responsibilities:
   1. Develop an SOP for cleaning holding rooms, the immediate area and vehicles that have been contaminated, or are suspected to be contaminated, with body fluids or Staph/MRSA.
   2. Ensure the SOP is posted in the immediate area.

d. Bureau members:
   1. Perform any required duties per the decontamination SOP.

Contaminated Holding Rooms and Vehicles (870.25)
To help prevent the spread of Staph/MRSA skin infection and other communicable diseases the following steps shall be taken in the event of contamination.

a. Members who determine a holding room, immediate area and/or vehicle are contaminated will:
   1. Treat the contamination as a bio-hazard, and take appropriate safety precautions.
   2. Secure the contaminated area and/or vehicle.
   3. Follow the RU’s SOP for contamination.
   4. Notify a precinct/division shift supervisor of the contamination, and securing of the contaminated areas.
   5. Document any member’s exposure to the contamination in the injury log.

b. Members will not use a vehicle or holding cell that has been secured.

870.30 PROCESSING OF PERSONS INTO MCDC
Index: Title
Refer: DIR 630.40 Medical Service Policy
       DIR 640.00 Identification Procedures
       DIR 660.10 Property and Evidence Procedure
       DIR 860.30 Citations-in-Lieu-of-Custody
       Current Multnomah County Sheriff’s Special Order on Charges Acceptable for Booking

POLICY (870.30)
Members will only present to the Multnomah County Detention Center Intake (MCDC) those suspects determined to be bookable by the Multnomah County Sheriff’s Office (MCSO). Due to the nature of the MCDC population and the influence of the courts on that population, Chief’s Memorandums will be issued periodically which will modify the bookable offender classification.
PROCEDURES (870.30)

Directive Specific Definitions

Booking: Act of presenting an arrested criminal suspect to MCDC Intake for complete processing which includes mugging, fingerprinting, medical and recognition interviews and cell assignment. Booked suspects become part of the official MCDC population.

Bookable offender: Any suspect presented to MCDC on any criminal charge which does not employ the use of a citation as a charging document.

Bookable offense: Any criminal act listed on the current Multnomah County Sheriff’s Special Order of charges acceptable for booking allowing for the presentation of an offender for processing within MCDC.

Cited offender: Any suspect presented to MCDC on any criminal charge which employs the use of a citation as a charging document, and/or for processing on any criminal charge which is not bookable per MCDC policy, yet requires identification processing per agency requirements or state statute prior to release. This situation employs the issuance of C-Cite and Z-Cite.

C-Citation (C-Cite): A citation in lieu of custody that may be used for all Class C felonies and felony traffic crimes.

Lodging for processing: Act of presenting an arrested criminal suspect to MCDC Intake only for the purpose of identification verification to allow for the proper issuance of a citation. Lodged suspects do not become part of the official MCDC population.

Only offenses that include the possibility of jail time may be booked or lodged at MCDC. Any violation or infraction charge that has, as a penalty, a fine or loss of privilege only, will not be accepted into MCDC.

Z-Citation (Z-Cite): A citation in lieu of custody that may be used for misdemeanors crimes, including misdemeanor traffic crimes and violation level or infraction level criminal offenses.

Open Booking Criteria (870.30)

The following dictates what types of offenses are allowed into MCDC. The criteria may change periodically and will be reflected in updates issued by MCSO. Custody Reports will state the offense title and the appropriate ORS, Portland City Code, or other criminal law number.

a. Felonies: All felony suspects will be booked if possible (i.e., meeting the criteria) or lodged if not. This includes all arrests for Auto Theft (UUMV).

b. Misdemeanor Arrests Made in Conjunction with Probable Cause Felony Arrests: All misdemeanor arrests made in conjunction with a bookable probable cause felony arrest may be booked.

c. Bookable Misdemeanors: Members may book suspects arrested for Violation of a Restraining Order and mandatory arrests made under the Family
Abuse Prevention Act. There are other bookable misdemeanor charges. Refer to the current Multnomah County Sheriff’s Office Special Order (MCSOSO) for the current list.

d. Non-Bookable Misdemeanor Arrests Made in Conjunction with Bookable Misdemeanors: Members may book all misdemeanor arrests made in conjunction with any bookable misdemeanor (i.e., one bookable charge allows all other non-bookable misdemeanor charges to be booked).

e. Warrant Service: Members will book suspects arrested on all warrants, unless directed to do otherwise by the issuing authority.

f. Warrant Service in Conjunction with Other Arrests:
   1. Mandatory misdemeanor arrests (i.e., arrests made under the Family Abuse Prevention Act) associated with the service of a warrant will be booked.
   2. Probable cause Class A and B felony arrests associated with the service of a warrant may be booked.
   3. Class C felony and misdemeanor arrests associated with the service of a warrant will not be booked (even if the charge is bookable). Instead, the suspect will be issued a citation.

g. If the subject is known to the member and a citation is appropriate, the subject will not be booked or lodged at MCDC. The only exceptions to this are:
   1. ORS mandated lodging/booking (see subsection k, this section).
   2. If the date of the suspect’s last picture in the Crime Capture System (CSS) is more than three years old or if the subject’s image has substantially changed, such as with chronic drug users or people that have made efforts to alter their appearance.

h. If the subject is not known to the member and a citation is appropriate, MCDC will check the Crime Capture System (CCS). If the subject can be identified by a CCS entry, he/she will be cited and released by the arresting member. The only exception to this is if that picture is more than three years old, the subject may be lodged.

i. If the subject is not known by the member and is not in CCS, the subject will be booked or lodged into MCDC. No citation will be issued.

j. Arrests Requiring Mandatory Processing: ORS 181.511 and 181.515 require that all persons arrested on the following charges be fingerprinted and photographed at the time of arrest, even if they are to be cited in lieu of being taken into custody:
   1. Any felony.
   2. Any misdemeanor or other offense involving sexual conduct.
   3. Any crime involving the use/sale of narcotics or dangerous drugs. Possession of less than one ounce of marijuana is a violation.

k. Arrests for Missions: Members can work with MCSO Executive Officer
to set up special booking procedures. These procedures must be negotiated well in advance of the mission.

1. Project 57 – a long-term mission where the City of Portland purchased extra jail beds to address chronic problems.

2. Large protests – in the event of large protests, MCSO may accept suspects charged with ORS crimes that are not normally accepted.

3. Prostitution missions.

Supervisors need to monitor the status of MCDC and notify his/her command if there will be any significant delays in booking due to the change in policy. This policy is set for review every 90 days and any problems need to be forwarded to the Operations Branch chief so that they can be addressed at the review meetings.

Reporting Requirements at MCDC (870.30)

a. Subjects being booked:
   1. Without accompanying citations:
      a) All of the charges the suspect is being booked on will be listed on the custody report.
   2. With accompanying citations:
      a) All of the charges the subject is being booked on will be listed on the custody report prior to booking.
      b) The charges the subject is being cited for (and not lodged on) will not be listed on the custody report until after the member leaves MCDC (MCDC does not need a copy of those citations).

b. Subjects being lodged:
   1. Without accompanying violation citations:
      a) All of the charges the subject is being lodged on will be listed on the custody report prior to booking (members may lodge on felonies, misdemeanors only, not violations).
      b) The member will give the intake deputy six copies of the custody report and six copies of each citation the subject is being lodged on.
   2. With accompanying violation citations:
      a) All of the charges the subject is being lodged on will be listed on the custody report prior to booking (members may lodge on felonies, misdemeanors only, not violations).
      b) The member will give the intake deputy six copies of the custody report and six copies of each citation the subject is being lodged on.
      c) The violations charges will only be listed on the custody report after the member leaves MCDC (MCDC does not need copies of the violation citations).
MCDC Ramp and Sallyport Entry (870.30)

Members transporting prisoners to MCDC will enter from the SW 2nd Ave. entrance near SW Main St. If the security screen is open, members may proceed to the security office at the bottom of the ramp. If the security screen is closed, members may contact the security personnel through an intercom and buzzer system located on the wall on the southeast corner of the entrance, or contact the Dispatch Coordinator on the radio and they will arrange to have the screen opened. Once inside, members will stop at the security office and wait to be acknowledged by the security personnel. When acknowledged, members will:

a. Drive into vehicle Sallyport #2, being sure to strike the vehicle touch-pad at the front of the enclosure. The control center will either open the security door into vehicle Sallyport #3 or contact the member via the intercom.

b. Enter Sallyport #3 and wait until the door is closed before taking the prisoner out of the vehicle.

c. Place all weapons in the assigned gun lockers or within the vehicle trunk before entering the reception area.

d. Ensure that all subjects are handcuffed before entering the reception area.

e. Present the custody reports to MCDC. All prisoners must be either booked or cited and all charges will be designated by an ORS or City ordinance number. If a suspect is being booked on a charge or charges and is also receiving a C-Cite, there is no need to leave a photocopy of the citation with MCDC. However, the citation number must be listed on the Custody Report for MCDC computer entry.

f. When booking prisoners at MCDC, members are required to leave copies of the face sheet of the Custody Report. However, on the face of the report there is only room for three (3) charges to be listed. On occasion, there are more than three (3) charges and the additional charges are written on the back of the report. It is critical that all of the charges be noted by MCDC and ID. All members should make copies of the front and back of all reports when additional charges are listed on the back of the report. These copies will be left with MCDC at the time of booking. No other action by members is required.

g. Members will present the handcuffed prisoner to the open booking area counter where a deputy will take custody of the prisoner. The MCDC deputy will search the prisoner, remove the handcuffs and return them to the officer. The member will inventory the prisoner’s property from the opposite side of the booking counter as the deputy presents it. The member will place the property in an MCDC property bag and make notations of the inventory on the MCDC property receipts provided. The member or the MCDC deputy will record a fingerprint of the prisoner on the back of the property receipt using the inkpad provided. The fingerprints should
include the full length of the fingers. The member will present the property and receipt to the property control technician at the window where a verification of the property and receipt will be made. A copy of the receipt (white) will be placed inside the property bag and sealed by the member. The sealed property bag will then be placed in a secure slot at the property window. The member will then return another copy of the receipt (pink) to the prisoner and direct him/her to the holding area. Any prisoner property that will not fit into the bag provided by MCDC will be placed into the PPB Property Room. The member may now exit the booking area.

h. Place potentially dangerous, non-evidentiary, prisoner property in the MCDC property bag and place it in MCDC property room. All evidence will be processed as described in DIR 660.10 Property and Evidence Procedure.

Transfers from the Detective Division (Detectives) to MCDC will be conducted by, or arranged through, Detectives.

Warrant Checks (870.30)
Prior to transporting and presenting a suspect to MCDC, members will check for outstanding warrants using the name given by the suspect. Any warrants on file will be served.

Transgender Suspects (870.30)
MCDC has policies and procedures for lodging and booking transgender subjects. If a member is aware that a subject may be transgender, he/she will verbally inform the intake deputy.

Processing for Identification Purposes in Citation Issuance Situations (870.30)
Refer to DIR 640.00.
If the subject is not known to the member and a citation is appropriate, do not fill out the citation until after MCDC checks CCS. This will avoid excessive paperwork and void reports will not have to be filled out. If the subject is not in the system, they will be booked into jail and no citation will be needed. If they are in the system, a citation can be filled out and issued prior to the subject’s release.

Processing of Cited Individuals Who are Violent (870.30)
Members may present cited/violent individuals to MCDC that meet the criteria listed in the MCSOSO.

Processing of Injured/Ill Suspects/Prisoners (870.30)
If a person under arrest or in custody is suspected of requiring medical treatment, the member will stand by MCDC until the intake nurse makes a determination as
to the necessity of treatment. If the injuries obviously require hospital attention, or the nurse orders it, the person will be transported to the Bureau’s contracted hospital (BCH) emergency room. Prior to transporting a subject to the BCH, the member will contact his/her precinct desk clerk or BOEC (if after 1800 hrs.) and have them relay the following to the ER:
   a. Estimated time of arrival.
   b. Nature of the injury.
   c. The mental and/or physical state of the subject.

When reasonable and possible, requests for additional member assistance should be made prior to arrival. Such requests will be made via BOEC. The BCH has been instructed not to assist in subduing or apprehending persons attempting to escape. Once at the BCH, members will observe the following safety precautions:
   a. The Sallyport and adjacent rooms will be used.
   b. All persons will be searched, prior to entering the BCH.
   c. Persons should remain handcuffed, when possible, unless treatment requires otherwise.
   d. Members will remain with the person at all times.
   e. Weapons may be secured in the member’s vehicle or in a secure area provided by the BCH.

Hospitalized Persons - Notification of MCDC (870.30)
MCDC will only provide corrections officer coverage for persons admitted to the County’s contracted hospital. If the arresting member elects to issue a C-Cite on a hospitalized person, it will not be necessary to notify MCDC or to have a corrections officer assigned to the person. If there is a possibility that the person will be admitted to the County’s contracted hospital, the member will:
   a. Contact MCDC and inform a supervisor of the possible need for a corrections deputy.
   b. If the County’s contract hospital determines that the injured person is to be admitted, the member will again contact MCDC informing them of that decision.
   c. MCDC will then make arrangements for a corrections deputy to relieve the member as soon as possible.
   d. If an MCSO deputy has not arrived within the hour of the verifying call, the member will inform his/her supervisor who will contact MCDC.
   e. Members will not leave these persons until properly relieved by a corrections deputy.
   f. Once relieved by a corrections deputy, the member will promptly deliver a copy of the Custody Report (or ensure the delivery of a copy of the report) to the MCDC intake sergeant.
Suspects/Prisoners at Other Treatment Facilities (870.30)

Members may have to deal with injured suspects at treatment facilities other than the BCH or the County’s contract hospital. These situations may involve trauma cases and self-admittals. Because MCDC will not assign a corrections deputy to any hospital other than their contract hospital, members involved in these situations may take any one of the following methods:

a. Pursue a probable cause arrest following the release of the individual.

b. Pursue the grand jury/warrant avenue.

c. Issue a C-Cite.

d. Once the suspect/patient has stabilized, request that the medical facility staff determine if transfer to either the MCDC medical ward or the County’s contract hospital would be appropriate. If a transfer is appropriate, an arrest may be made and the procedures for notifying MCDC instituted.

870.40 PRISONERS’ ANIMALS

Index: Title; Animals, Prisoners’
Refer: DIR 631.70 Investigation of Animal Problems
       Central Precinct SOP #41 Impounded Animals
       Impounded Animal Form (Central Precinct)

PROCEDURE (870.40)

Directive Specific Definitions

Domestic animal: Any type of various animals adapted by humans so as to live and breed in tame conditions.

Disposition of Prisoners’ Animals (870.40)

When a person is arrested in their home and has a domestic animal, the animal should be left in the home. When a person is arrested at a location other than their home (i.e., auto, motel room) and has a domestic animal with them:

a. If the arrestee requests and the person is reasonably available, members may allow another person to take responsibility for the animal.

b. When no caretaker is available, members may release an animal to Animal Control (or their contractee).

c. When Animal Control (or their contractee) is not reasonably available, and the animal is of a size appropriate to the Central Precinct animal holding cage, members may take custody of an animal and process it into Central Precinct’s animal holding cage (pursuant to Central Precinct’s SOP).
   1. The key to the animal holding cage may be obtained from Central Precinct desk clerk.
   2. The impounding member will lock the animal in the cage, located on LL2. Before leaving the animal, the member will ensure the cage is
clean and fresh water is available.
3. The impounding member will fill out the Impounded Animal Form (available at Central Precinct desk). The form will be attached to a copy of the first page of the police report and left with Central Precinct desk clerk.
4. The Central Precinct desk clerk will be responsible for notifying Multnomah County Animal Control to retrieve the animal. If unable to make the notification before the end of the relief, the responsibility will be passed to the next relief until the animal is retrieved.
5. Upon release of the animal to either an owner or Animal Control, the released by and released to sections of the Impounded Animal Form will be filled out, attached to the report copy, and forwarded to Records.

In all instances wherein an arrestee has a domestic animal at the scene of an arrest and there is no family member/roommate present to arrange care for the animal, members will document the animal’s disposition in their report. If it is necessary for a domestic animal to be removed from a scene and the arrestee advises of, or there are signs of, illness or injury to the animal, that information will be documented in the report and provided to the caretaker to whom the arresting member releases the animal.

870.50 ARREST, FELONY PROCESSING

Index: Title
Refer: ORS 181.010(2)(3) Criminal Offender Information
ORS 181.511 and 181.515 Fingerprinting, Disposition Report Required Upon Arrest
DIR 640.13 Drug Lab Procedures
DIR 640.50 Traffic Crash Investigations
DIR 850.30 Juveniles, Custody
DIR 860.10 Traffic Citations and Arrests
DIR 860.30 Citations-in-Lieu-of-Custody
DIR 910.00 Field Reporting Handbook Instructions

PROCEDURE (870.50)
The following procedures shall apply when felony arrests are made by sworn members of the Bureau who are not assigned to the Detective Division (Detectives) or other investigative unit (precinct detective, GET detectives, etc.):
a. Felony Processing: Persons arrested on Measure 11 felonies will be transported to the appropriate investigative unit, unless directed otherwise by the investigative unit. A detective supervisor will be notified immediately upon arrival. Exceptions:
1. Drug and Vice Arrests: All felony drug arrests, regardless of classification, will be processed by the arresting member. When circumstances such as quantity of substance, willingness of the suspect to cooperate with the authorities or any unusual aspects of the case make DVD involvement desirable, the arresting member will contact his/her supervisor. If it is determined that DVD involvement would be beneficial, the supervisor will contact a DVD supervisor via phone, or BOEC call-up, to discuss the feasibility and degree of DVD involvement. Arrestees exposed to hazardous materials will be decontaminated at the scene prior to any transport. For proper decontamination procedures, see DIR 640.13.

2. Traffic Related Arrests: Individuals involved as felony suspects or possible suspects in vehicular collision cases (vehicular assault, manslaughter, criminal negligent homicide, hit and run) will be processed under the provisions of DIRs 640.50 Traffic Crash Investigations and 860.10 Traffic Citations and Arrests.

3. Warrant Arrests: Fugitives arrested on warrants from outside agencies will be taken to the booking facility, unless there is an immediate need for a detective interview.

b. Class C Felony Processing.

1. Arrests for Class C felony crimes will be reviewed by the arresting members and their supervisors who will determine the necessity for an immediate interview by Detectives. If, after conferring with a detective supervisor, it is determined that an immediate interview would be beneficial to the case, a detective supervisor will approve transport of the arrested person to Detectives for processing.

2. In those cases where it is determined that an immediate interview by Detectives would serve no constructive purpose, or the suspect has requested an attorney or is generally uncooperative and unruly, arresting members will process the case noting the names of the patrol supervisor and/or detective supervisor who reviewed the arrest in their report. Detectives must be contacted prior to booking any Measure 11 suspect, regardless of the circumstances.


1. Measure 11 Offenses as defined by ORS.
   a) Murder.
   b) 1st and 2nd Degree Manslaughter.
   c) 1st and 2nd Degree Assault.
   d) 1st and 2nd Degree Kidnapping.
   e) 1st and 2nd Degree Rape.
   f) 1st and 2nd Degree Sodomy.
   g) 1st and 2nd Degree Unlawful Sexual Penetration.
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h) 1st Degree Sex Abuse.
i) 1st and 2nd Degree Robbery.

2. Measure 11 only affects juveniles who are or will be 15, 16 or 17 years of age at the time of arraignment, and who have committed a Measure 11 offense on or after April 1, 1995.

3. Warrant Arrests: Juvenile defendants should be taken directly to jail just as any adult is when taken into custody on a warrant.

4. Probable Cause Arrests.
a) Members Responsibilities.
   1) Transport juveniles to Detectives for processing.
   2) If the juvenile is taken to JDH, after processing at Detectives, members will be required to have the completed Custody Report and a release form that will be provided by the staff. A weekend probable cause affidavit will be completed if the arrest falls with the same timeframe as an adult defendant.
   3) All other reports concerning the juvenile should be forwarded to the appropriate adult trial unit in the DA’s office just as if the juvenile were an adult defendant. No other reports should be sent to the juvenile court or any other section of the DA’s office.

b) Detectives Procedures.
   1) The juvenile will be brought to Detectives for interview and/or processing.
   2) Detectives will be responsible to coordinate completion of reports, and fingerprinting and photographing at Forensics.
   3) When the juvenile is lodged at JDH, the only report to be submitted to JDH is the face of a Custody Report and Measure 11 questionnaire listing the charges. Reports which articulate the elements of the case and the arresting member’s and/or detective’s investigation will not be sent to JDH. These reports, as well as any other pertinent documents, will be included in the case envelope, which will be delivered to the appropriate unit of the downtown DA’s office as if it were an adult case. All reports/case envelopes will be marked Measure 11 at the top.

d. Mandatory Booking.
   1. ORS 181.511 and ORS 181.515 mandate that all arrested felony suspects be mugged and fingerprinted upon arrest. If the suspect is not transported to an investigative unit or division, the arresting member will lodge the suspect in MCDC or cite and release them under the provisions of DIR 860.30, Citations-in-Lieu-of-Custody (C-Cite or Z-Cite), after they have been mugged and printed.
   2. All members arresting persons for auto theft charges (UUMV) will
book those prisoners into the Justice Center Jail if they are adults and transport them to JDH if they are Juveniles. C-Cites will not be issued without a supervisor’s approval.

e. Reporting.
   1. Officer: When felony arrests are not processed through an investigative unit or division, arresting members will complete all reports as required in DIR 910.00. The arresting officer will prepare a case envelope and deliver it to their Precinct or Division detectives. After copies are made, the original reports and photocopies of citations (or unneeded originals) will be forwarded to the Records Division (Records).
   2. Detectives will ensure that all felony arrests within their area of responsibility are processed completely and forwarded to the DA’s Office by 1000 hours the next court day.

f. Processing.
   1. Members will notify a supervisor at once upon bringing a suspect to a precinct, unit or division for processing.
      a) When a suspect is transported to a police facility for formal questioning, the prisoner will be afforded a safe and secure location. The arresting member, or investigator, will arrange for some degree of privacy and will assume responsibility for the integrity of the investigation.
      b) The member who transports a suspect to an investigative unit or division will not leave the suspect unattended in lock-up without first notifying a supervisor or, in the absence of a supervisor, any on-duty sworn member. The transporting member will provide the suspect’s name, charge and a brief statement of the circumstances. The supervisor or member who has been notified is responsible for monitoring the suspect until relieved.
   2. A member of the Detectives chain of command will, as soon as possible, assign a police officer to assist the arresting member, conduct a formal interview of the suspect, and complete the necessary phases of the investigation.
   3. The arresting member will remain until released by the investigator(s). The member may be requested to assist in the investigation.
   4. The arresting member will write or dictate the required Investigation or Custody Reports prior to leaving Detectives. Once the reports are reviewed by a detective or investigating member, copies will be left with Detectives.
   5. When a defendant is charged with a crime and issued a traffic citation arising out of one incident, the citation will be placed in the envelope and a copy of the traffic citation(s) will be attached to all copies of the Custody Report.
   6. It is the responsibility of Detectives to transport to the booking facil-
POLICY AND PROCEDURE

It is the policy of the Portland Police Bureau for members to act upon witness and victim information, which provides a reasonable belief that a crime has been committed. As part of the investigation, members shall strive to identify suspects in an objective, non-suggestive manner. It is vital that victims or witnesses be provided the opportunity to independently and objectively identify an alleged suspect as either the correct or incorrect person.

If the member has reasonable suspicion, the member can stop and detain a person(s) who matches the suspect description and whom is present in close proximity of the crime and in close time (within three hours). The detained person may only be moved a short distance from the general vicinity of the stop (i.e., inside a building to a position of viewing from the street). The detention shall only last for the reasonable amount of time necessary to complete the investigation and Show-up.

If a member has probable cause, the member may arrest the person who matches the suspect description and can move the person as necessary. A member can conduct a Show-up within three hours from when the victim or witnesses observed the suspect. After the passage of three hours, a member can compile a Photo Line-up.

A Photo Line-up shall contain one photo of the alleged suspect and the line-up shall not be suggestive toward the alleged suspect. The presentation of the Photo Line-up shall be done in as non-suggestive manner as possible and should be witnessed by another sworn member. All Measure 11 cases where a photo line-up is considered shall first receive a consult with an appropriate detective.

PROCEDURE (870.80)

Directive Specific Definitions

Photo Line-Up: A composition of similar photographs that includes one photo of the alleged suspect, which is presented to a witness for possible suspect identification.

Show-Up: Occurs when a member facilitates bringing a witness to the location of a subject whom the member reasonably believes committed a crime for the purpose of having the witness look at the subject for possible suspect identification.
POLICY (870.90)

A suspect in a crime must be advised of his/her Miranda rights, prior to questioning about the crime, if the suspect is in custody or is not free to go. Custody means actual constraint of the person or a person in a situation where a reasonable person would think that he/she is not free to go. In addition, such warnings may be required in circumstances that, although they do not rise to the level of full custody, create a setting which judges would and members should recognize to be compelling.

PROCEDURE (870.90)

Patrol members who have advised suspects of their Constitutional Rights (Miranda) and then transported them to the Detective Division (Detectives), or other investigative unit, for further questioning, must inform the assigned detective of the time, date, and place of the advisal, to include any response made by the suspect(s). The member who actually advised the defendant will write a report indicating the time, date, and place where such rights were given. If the defendant invokes his rights, the member should notify the appropriate investigative unit to determine if transport for questioning is still desired.

The member should not question the suspect if in the member’s judgement the interview is best performed by a detective. If the member believes the interview should be conducted by a detective, it is the responsibility of the member to contact Detectives.

Constitutional Rights Advice (Miranda) Form (870.90)

When feasible, the form will be used when a suspect is in police custody or when the suspect is interviewed at the police station and is not free to leave.

Prior to questioning, read the Miranda rights to the suspect. If the suspect speaks only a foreign language, the Constitutional Rights Advice (Miranda) form must be in that language. The Language Line may be used. For hearing impaired, the Oregon Telecommunications Relay Services can provide signing services, or the hearing impaired may read and sign a rights advice form. If a signer or translator is used, the member will get the name, address and telephone number of that person and advise the translator or signer to document the transaction for future legal needs. The phone numbers for the Language Line and the Oregon Telecommunications Relay Services are available in the Problem Solving Resource Guide.

Ask the person if they understand what his/her rights are and answer any questions they have.

Have the person sign the form indicating they understand their rights.
a. If the suspect signs the form but refuses to make a written statement, an oral statement may be taken. A notation will be made on the statement portion of the form that the suspect did make an oral statement. The oral statement will be incorporated into the investigating member’s report. Oral statements may be tape recorded if the member informs the suspect prior to recording or if the suspect consents. Recordings will be processed as evidence and summarized in the member’s report. Verbatim transcriptions will be made when required by the investigation and/or the prosecution.
b. If the suspect is not willing to waive rights, any further questioning will cease. Threats or false promises designed to persuade the suspect to waive his/her rights are forbidden. If the suspect initiates conversation after invoking rights, he/she should be asked if he/she is now willing to waive those rights. Unless an affirmative answer is given, those statements may not be admissible. Continued questions after a suspect requests an attorney will result in all statements being unusable as evidence. If the suspect is willing to make a statement, but refuses to sign the form, a notation will be made that he/she was advised of rights but refused to sign. This notation will be witnessed.
c. All copies of the rights forms will be sent to the Record Division (Records) as part of the permanent case record.
d. All original rights forms are to be placed into evidence and sent to the property room.

880.20 COURT COORDINATION
Index: Title; Overtime for Court Appearance; Subpoenas
Refer: ORS 136.595 How Subpoena is Served; Proof of Service; Service on Law Enforcement Agency
OAR of Civil Procedure, Rule 55D(2)(b)
DIR 210.21 Leaves of Service
DIR 210.30 Timekeeping and Overtime
DIR 220.40 Lawsuits and Claims
Court Related Overtime Report (Fiscal)
Notification of Court Unavailability or Change in Duty Status Form (Court Coordinator)

POLICY (880.20)
The Bureau will cooperate with court procedures so as not to jeopardize or compromise cases.

PROCEDURE (880.20)
State statutes allow for service of criminal and civil case subpoenas to designated individuals in a police agency. The designated individual is the Court Coordinator.
The Court Coordinator will accept only those subpoenas where there are ten days or more prior to the scheduled appearance date. If a subpoena is to be served with less than ten days notification, it will be personally served on the member (not to precinct desk clerks or command). Subpoenas served in either manner are legally served. Verification of appearance via PPDS/MDC still applies. Members may be held in contempt-of-court for non-appearance and/or be subject to discipline.

The Records Division (Records) is the only RU authorized to respond to subpoenas for police reports or PPDS records. Members receiving subpoenas for reports or PPDS records will immediately forward the subpoena to Records.

The Strategic Services Division (SSD) responds to subpoenas for Directives and other Bureau-wide policies and procedures.

The Court Coordinator’s office cannot accept service of civil summons or civil complaints. Personal service is required.

Subpoena: Criminal and Traffic Court (880.20)

a. Member Responsibilities:
   1. Treat complaints, subpoenas, summons and court appearance notices for criminal and traffic court as official notice and documentation mandating court appearance. These notices will generally be communicated via PPDS/MDC. However, there will be times when a subpoena will be personally served (i.e., short notice defense subpoena). When such personal service takes place, members will notify the Court Coordinator within hours of it, via phone, fax, or inter-office mail.
   2. Check his/her court schedule, through PPDS/MDC, every working day. Most of the time, members will not receive a hard copy subpoena. What is on the PPDS/MDC screen is the trial notification and schedule.
   3. Verify, through PPDS/MDC, the necessity for the court appearance after 1600 hours the day prior to the scheduled appearance. If the status space is blank, it is the member’s responsibility to check again after 1800 hours and continue to check until the status is updated.
   4. Notify the Court Coordinator within 72 hours of the member’s first notification of an impending change in shift, days off, assignment, home telephone number, off-duty disability, leave of absence status, etc.
   5. Court unavailability requests:
      a) Attend court while on paid disability, unless specifically prohibited by physician’s orders.
      b) Court unavailability requests cannot always be granted. A judge may require a court appearance during a scheduled vacation or other leave, even if a court unavailability notice has been sent...
in. The DA is committed to try and accommodate these requests when properly informed and notified. Members should consider that the greater the number of members involved in a court case, the greater the complication for the court in scheduling cases without interfering with requests for court unavailability.

c) Notify the Court Coordinator as soon as possible of pending unavailability due to absence from work for any reason. Thirty-day advance notice is required. Lesser notification time reduces the chance of receiving a set over. Members must request unavailability even if there is a chance the leave or vacation will be canceled or not needed. Verify the unavailability has been entered into PPDS after the fifth day of the Court Coordinator’s notification. If it has not been entered, contact the Court Coordinator. If unavailability is due to illness, notify the Court Coordinator when available again.

d) Short notice of unavailability for court, 30 days or less, requires the member to:

1) Notify the Court Coordinator by phone. The Court Coordinator will document the request in PPDS.

2) Call each subpoena clerk (number under Court Schedule in PPDS) who has sent a subpoena for the time period of unavailability and ask for the set over. The set over is not automatic and approval must be received from the Deputy District Attorney.

6. Notify the Court Coordinator as soon as possible of pending unavailability.

a) Illness: Notify the Court Coordinator as soon as possible. After regular business hours, leave a message on the Court Coordinator’s voice mail with name, DPSST number and anticipated date of return.

7. Traffic Court: The Court Coordinator will process Traffic Court set over requests. To request a set over, notify the Court Coordinator by phone. The request must include the reason for the set over request and must be received at the Court Coordinator a minimum of 14 days in advance of the trial date or a set over will not be accepted and no request will be made. Most Traffic Court cases are subpoenaed as far as three months before the trial date. The earlier the set over request is made the greater the likelihood it will be granted. If the traffic court case has been set over once before, the judge has to grant the set over request the day of the trial. The Court Coordinator will document the set over request in PPDS.

a) Complete a Court Related Overtime Report for all court-related overtime. A separate overtime report is required for each day of court. This includes time stamping the arrival and departure times at the Multnomah County Court House. If for some reason this is not done, an inter-office memorandum must be submitted, along with the overtime report, explaining the circumstances for not doing so. At court facilities without time stamp machines, members will sign in and out of the facility sign-up log, writing the times on the report with an explanation of why not stamped.
b) Submit the overtime report(s) in the manner outlined in DIR 210.30, Timekeeping Procedure.
b. Supervisor Responsibilities:
   1. Immediately notify the Court Coordinator’s office if any of the following circumstances occur to a member:
      a) Becomes disabled on the job.
      b) Takes an emergency leave.
      c) Placed on administrative leave (i.e., traumatic incidents, shootings, etc.).
   2. Forward the unavailability notice and, when appropriate, accompanying documents (i.e., military orders, disability orders, parental leave documents, etc.) to the Court Coordinator’s office.
   3. Sign the court overtime report and forward to Fiscal Services (Fiscal) for verification.
c. RU Manager Responsibilities:
   1. Upon receipt of a No-show Notice for court, determine the reason for the non-compliance and take appropriate action.

**Civil Subpoenas (880.20)**

Member Responsibilities:

a. Treat civil subpoenas as official notice or documentation mandating court appearance.
b. Civil subpoenas served via PPDS/MDC are to be treated as all other PPDS court notifications.
c. Members who receive personally served work related civil subpoenas will:
   1. Within 24 hours of receipt of the civil subpoena, attach a memorandum listing date, time and manner of service and forward a copy to the Court Coordinator.
   2. Personally advise the issuing court or attorney if unable to attend court on the indicated date.
   3. If three or less days to the scheduled court date, contact the Court Coordinator as soon as possible via phone.
4. Forward a copy of the civil subpoena with the overtime report to Fiscal for verification.

d. If a member receives a witness fee or mileage allowance for a court appearance related to the performance of law enforcement duties, the fee will be forwarded to Fiscal.

e. Members who receive a subpoena for police reports or PPDS records will, in addition to the requirements above, forward a copy to Records. Records is the only RU authorized to respond to subpoenas for police reports or PPDS records.

880.30 SECURITY DEPOSIT, SETTING (BAIL)

Index: Title

PROCEDURE (880.30)

Warrant Arrests

On warrant arrests, security deposits will be set as stated on the face of the warrant.

Warrantless Arrests (880.30)

On warrantless arrests, members will indicate the security deposit amount on their reports and/or citations in the amount specified by the Circuit Court security deposit schedule in effect at the time of the arrest.

Extraordinary Security Deposit Setting (880.30)

Under no circumstances will a member set security deposit amounts greater than those specified on the court bail schedule, or on a warrant, unless he/she first receives specific approval from a judge of the Circuit Court. A listing of judges who may be contacted is available in both the DVD and Detective Divisions.

If a member has reason to believe that the security deposit listed on the court schedule is not sufficient, he/she may contact a judge to request an increase for security deposit needed in a particular case.

The purpose of a request for an extraordinary security deposit setting is to ensure that the suspect will appear at future court proceedings. The increased security deposit request must be based upon the member’s knowledge of the suspect’s financial status when arrested, as well as related implications (i.e., the possession of large sums of money and/or large quantities of controlled substances imply easy access to large amounts of cash and/or influential associates). The suspect’s past court appearance history may also be taken into account.

Reporting (880.30)

When extraordinary security deposit settings are granted, members will write
Extraordinary Bail on the top of the custody report. The narrative will contain the name of the granting judge.

910.00  FIELD REPORTING HANDBOOK INSTRUCTIONS
Index:  Title
Refer:  DIR 660.10  Property and Evidence Procedure

PROCEDURE (910.00)
Directive Specific Definitions
    Holdover: Waiting until the next day to write a report.
    Significant incident: An incident that other members on subsequent shifts should be informed about (i.e., Class A and B felony crimes with suspect information and potentially violent or dangerous situations).

Reporting Policy (910.00)
Members taking any official police action, on or off duty, will write an appropriate report to cover the incident except in cases resolved with a coded disposition.
   a. If on duty, the member will write a report prior to going off shift unless a holdover is approved by a supervisor.
   b. If off duty, the member will write a report within four hours after the incident and deliver it directly or forward, via district car, to the Precinct/Division or outside jurisdiction responsible for the area of occurrence with a copy directed to his/her RU manager.

These reports will contain the member's account of the incident reported and action taken. All pertinent information will be entered in the member's duty notebook. Members will prepare the report using the appropriate form and colored paper.

Report Requirements (910.00)
   a. Legibility.
      1. Reports may be computer generated, typed, printed or written in longhand. All handwritten reports will be written with a medium ballpoint pen using dark ink. Use of felt tip is not allowed. All reports must be legible. Computer generated reports should use spell check for accuracy.
      2. Corrections should be kept to a minimum. If it is necessary to delete a word or item from a report, the member may do so by drawing a line through the incorrect word or items. Other methods of corrections are acceptable so long as the corrections are clear and legible.
   b. Accuracy.
      1. Attention should be given to correct spelling of all words in a report, with special emphasis on the correct spelling of proper names, ar-
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ticles, brands, and locations.
2. Reports must accurately and objectively report the facts of each incident, the results of the member’s investigation and any action taken. Reports must also contain reference to the disposition of any property or evidence taken into custody, the results of records searches, witnesses’ statements, etc.

c. Clarity.
1. Reports must clearly, completely, concisely and accurately portray the incident being reported. Simple and easily understood words and phrases should be used. Exact quotes will be used when taking direct statements.
2. The narrative portion of reports should be separated into paragraphs, each dealing with a central subject. Paragraphs containing long, complicated sentences should be avoided. Proper punctuation will be used.

1. Summary: Located at the beginning of a report, a brief summary of the report content is required if the report will be more than one page long.
2. Narrative: Immediately following any summary, a complete chronological description of the details and results of the investigation will be written.

e. Multiple Offenses: Members frequently encounter situations where there are several crimes committed. The following guidelines will be followed in determining how many police reports must be written:
1. Offenses against Person: In all cases of criminal homicide, forcible rape and assault, an Investigation Report must be submitted for each victim.
2. Offenses against Property: In cases of robbery, burglary, larceny and auto theft, a report must be submitted for each distinct operation. A distinct operation means all actions that occur at one time and place. If actions are separated by time or space, more than one report will be required. Examples:
   a) Robbery: Seven customers in a tavern are held up by armed robbers. One report is written.
   b) Burglary:
      1) Apartments: One report for each apartment entered.
      2) Office Buildings: One report for each business burglarized.
      3) The Hotel Rule: When a burglary occurs in a structure where lodging transients is the main business, there is only one report regardless of the number of rooms entered.
   c) Larceny.
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1) Five machines in a Laundromat -- 1 report.
2) Five parking meters - 5 reports.
3) Batteries from three cars on a used car lot – 1 report.
4) Batteries from three cars on the street - 3 reports.

5) Auto Theft: One report for each motor vehicle stolen.

f. Case Clearance: There are only three ways that a case may be cleared:
1. Unfounded: A crime is unfounded when investigation proves that the crime did not occur. A case cannot be cleared as unfounded merely because the victim refuses to prosecute or the DA refuses to issue a complaint.

2. Cleared by Arrest: A crime may be cleared by arrest when at least one person is arrested, charged with the commission of the crime or a related offense and turned over to the court for prosecution. Charging a person with a related offense means that the investigation shows that the person arrested is the one who committed the crime but the evidence is not strong enough to charge him with the original crime. He is, therefore, charged with a related offense and the case may be cleared.

3. Exceptional Clearance.
   a) There are situations where the criminal cannot be arrested and turned over to the court for prosecution even though the investigation has proved he/she committed a crime. In these instances, a case may be exceptionally cleared.
   b) In order to exceptionally clear a case, the following facts must exist:
      1) The identity of the offender has definitely been established.
      2) There is enough evidence to support an arrest and prosecution.
      3) The exact location of the offender is known but there is some reason beyond police control that prevents his arrest. Examples:
         (a) The offender is dead.
         (b) The offender is already in custody on a different charge.
         (c) The victim refuses to prosecute.

   a) A case may be cleared only one time. Example: Five men rob a bank and are arrested a few days later. Only one clearance report is submitted.
   b) Several cases may be cleared with the arrest of one person. Example: A burglar is arrested at the scene of the crime and confesses to six previous burglaries. Clearance reports must be submitted for each of the six prior burglary reports.
c) If the clearance information is written as a part of the original report, a separate clearance report is not required.
d) Clearances are written on the Special Report form. The type of clearance should be entered. The Details section of the report must include the name, sex, race and date of birth of the arrested person; arrest information such as charge, warrant number, etc.; and recovered property information such as type and value of recovered property.
g. Person Arrested: A Custody Report must be submitted for each person arrested, including juveniles taken into custody, and adults who are issued CILC.

**Supervisor’s Responsibility (910.00)**

a. Supervisors will not approve holdovers for the following reports:
   1. Custodies that will be arraigned the next court day.
   2. Missing juveniles.
   4. Recovered vehicle.
   5. Significant incident.
b. Supervisors will insure reports comply with the reporting requirements and include the necessary content. Upon completion of the review, the supervisor will affix their name in the appropriate place indicating that they have approved the report.

**Photographs (910.00)**

Members who obtain photographs (not evidence) during his/her investigations may enclose them with the original report. However, the following guidelines will be followed:

a. Members will advise, in the narrative portion of his/her report, that a photograph is included.
b. Shift supervisors will place all reports that include a photograph in a separate envelope and forward it to the Records Division (Records).
c. Records will number both the report and the photograph and forward the photograph, along with a copy of the report, to the investigating detail.

Members who obtain photographs that will be entered as evidence, must process them in the normal manner in accordance with DIR 660.10.

**The Field Contact Report (FCR) (910.00)**

The FCR will be used to record the information on persons contacted as a result of their suspicious activity or proximity to the scene of a crime. The FCR card may also be used to pass on information on known criminal subjects, their associates and vehicles through observation without contact. In both the contact and observation
FCR, complete identifying information is necessary for computer entry.

a. Examples of when it would not be appropriate to complete a FCR:
   1. When the same information is already provided in a police report.

b. Examples of when it would be appropriate to complete a FCR:
   1. Routine Traffic Check: When information could be useful in an investigation complete the FCR card and state the reason.
   2. Adults Taken into Custody: Use the FCR when associates or vehicle information would not be available from the arrest reports.

c. Processing of FCR Cards.
   1. FCR cards are processed much as other police reports. Therefore, it is extremely important that appropriate boxes are filled in completely and legibly written. The subject’s PPDS record must be updated from the information on the card and a PPDS record established for those FCRs that do not presently have a PPDS number.
   2. Precincts and divisions should handle FCR cards as they do other reports. Supervisors must check for accuracy and compliance with the purposes of the FCR card. FCR cards should be expeditiously sent to Records on a daily basis, as a large batch at one time creates unanticipated workloads for Records.
   3. PPDS numbers should be entered in the Other # box on the FCR. This will allow Records to put PPDS numbers on the FCR Log; however, Records does not have time to retrieve these numbers from the computer, so if members do not enter PPDS numbers on the FCR, they will not appear on the FCR Log.
   4. The Detective Division (Detectives) requests that members use the FCR to pass on valuable information they have acquired by observing known criminal subjects with associates and/or vehicles. Current information on associates and vehicles of known criminals is very important to investigators. This information can be gathered by observation when contact is not practical or legal. Basic information as to the subject’s complete name and date of birth is necessary for the FCR procedure.

920.00 REPORTS, REVIEW AND DEFICIENCY

Index: Title
Refer: Request for Additional Information Form (Records)

PROCEDURE (920.00)

The Records Division (Records) will act as the report review center for the Bureau. The appropriate Branch chief and Records will coordinate report review activities to assist RU managers in making their members accountable for the
quality of their reports and investigations. RU managers will place emphasis on retraining members.

A Request for Additional Information form may be initiated by either Records or an investigative unit/detail. The procedure outlined on the Request for Additional Information form will be followed to implement corrections. Where possible, the report should be corrected and returned within three days of receipt. Any disagreement with deficiencies will be in writing, through the RU manager, to Records. The Records manager and appropriate Branch chief will be the final arbitrators in any disagreement in classification or required corrections.

When Records notes an error or deficiency on a member’s report they will notify the writer’s RU manager of the request for correction by forwarding a Request for Additional Information form.

Supervisors finding a deficient report will, if possible, ensure that the report is corrected before the originating member goes off shift. Otherwise, a report which cannot be corrected at the time or is noticed by an investigative unit/detail to be in need of correction, will require the following steps:

- Make a copy of the report.
- Fill out two copies of the Request for Additional Information Report form with notation of the pending correction.
- Attach one copy of the Request for Additional Information Report form to the original report and forward it to Records. Investigators who do not have the original report will forward the Request for Additional Information form to Records with a copy of the report.
- The second copy of the form and report are to be used by the originating member to correct the report.
- After the correction has been made, forward the Request for Additional Information form and the corrected reports to Records.

If the deficient report was written by an outside agency, the listed procedures will be followed:

- The Request for Additional Information Report form and a copy of the report will be routed to the RU manager of the precinct in which the incident occurred.
- The RU manager will arrange for any additional investigation that may be required.
- A precinct member will follow up, write the appropriate report and return it to his/her sergeant.
- The sergeant will complete the Request for Additional Information Report form, attach it to the corrected report and forward it to Records.

In the event a member fails to respond to an initial Request for Additional Information Form, Records will send a copy of the request to the originating member’s RU manager stamped 2nd Request. If this occurs, the originating member and his/her sergeant will discuss the report and the corrective action to be taken.

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a. Emphasis should be on training, which can be received while correcting the report.
b. Corrections of deficient reports must be made as quickly as possible so information and report flow is expedited for investigative follow up and computer entry.
c. Both the sergeant and the relief supervisor or commander should review the corrected report, make appropriate remarks in the section dealing with corrective action taken, and date and sign their name. If the relief supervisor or commander is not available to sign the Request for Additional Information Report form, the sergeant will sign and forward immediately so the corrected report is not held up at the precinct or division level.

If, for some unavoidable reason, a member will be unable or delayed (illness, military leave, etc.) in making a correction, the sergeant will:
   a. Ensure that the correction is made and discuss the error with the originating member at a later date.
   b. If the correction is of a non-urgent nature, the sergeant will hold the error for later correction by the member. In this case the sergeant will forward a copy of the Request for Additional Information form with a notation that it will be delayed to Records. The approximate date the corrected report will be forwarded should be included in the notation.

If a Request for Additional Information form is not responded to after the second request, the Records manager will forward the information to the appropriate Branch chief for his/her action.

930.00  NOTEBOOKS, DUTY

Index:  Title
Refer:  DIR 612.00  Radio Use

PROCEDURE (930.00)

Duty notebooks are provided by the Bureau with lined fixed pages.

Duty notebooks will be carried and maintained by all sworn Operations Branch members. However, an RU manager may exempt a member from maintaining a duty notebook in those situations where it does not contribute to the effectiveness of the member’s job performance and/or the assignment is full time administrative in nature.

Notebooks, upon completion, will be maintained for five (5) years.

Notebook Requirements (930.00)

The front cover of the notebook will be used to record:
   a. The members printed name and I.D.
   b. Assignment location and relief.
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c. The year and sequential number of the notebook.
d. The date started and the date completed.
e. Telephone number of member’s present precinct or detail.
f. Example:
   John A. Smith # 6719
   Central A
   2004/#2
   Started:
   Ended:
   Precinct Phone #:

The top of a new interior page will be used each working day and the front and back of each page will be used for entries made during the shift.

Notebook information stamps will be available to members attending roll calls. Members will stamp the top of a new page of their notebook each workday. The Info section will be used to record appropriate roll call information. Members may keep a secondary notebook to record roll call information.

Notebook Format (930.00)

Members may format their duty notebooks at their discretion, however, each entry will include:

a. Received, arrival, clearance times and call disposition.
b. Type of call, activity, or special assignment.
c. Location of incident.
d. Complainant’s and witnesses’ name, address, phone number (home and business).
e. Suspect or defendant info (person and vehicle) descriptions.
f. Citation and/or arrest information.
g. Brief description of what occurred and action taken.

The member’s notebooks should be checked by supervisors periodically. Supervisors that are checking notebooks are to sign and date them in the space provided on the information stamp. If no such space is provided then the supervisor will sign and date the notebook under the stamp. Notebooks are subject to inspection by any command staff in the member’s chain of command.

Members will promptly forward copies of notebook entries requested by the Records Division in response to public records requests made to the Bureau.
940.00  AFTER ACTION REPORTS AND OPERATION ORDERS

Index:  Title
Refer: ORS 161.015  General Definitions
      DIR 640.54  Prisoner/Suspect Damage to City Property
      DIR 1010.10  Deadly Physical Force
      DIR 1010.20  Physical Force
      After Action Form (CHO)
      Operation Order Form (CHO)

PROCEDURES (940.00)
Directive Specific Definitions
   After Action Report: A narrative report that describes a police action and
   assesses its effectiveness through critique and evaluation using required
   criteria.
   Operation Order: A written plan to deal with specific police activity.
   Serious physical injury (from ORS 161.015): Any physical injury which creates
   a substantial risk of death or which causes serious and protracted disfigurement,
   protracted impairment of health or protracted loss or impairment of the function
   of any bodily organ.

After Action Report (940.00)
   a. An After Action report shall be written for the following events/incidents:
      1. Vehicle pursuits.
      2. When a Use of Force Report is submitted that includes but is not
         limited to any of the following:
         a) Less lethal.
         b) Firearm discharge not in the performance of a police action Refer
            to DIR 1010.10  Deadly Physical Force and DIR 335.00  Use of
            Force Review Boards for reporting requirements and criteria for
            the use of deadly force in a police action.
         c) Taser deployment. Refer to DIR 1051.00  Taser, Less Lethal
            Weapon System for specific reporting criteria.
         d) Police Canine (K9) Bites.
      3. Special Emergency Reaction Team (SERT) deployment.
         a) The on-scene SERT supervisor will complete an after action re-
            port on SERT’s participation in the incident.
         b) The on-scene supervisor will complete an after action report on
            the circumstances leading up to and after the SERT activation.
      4. Hostage Negotiation Team (HNT) deployment.
      5. Explosives Disposal Unit (EDU) call out.
         a) The EDU supervisor will complete all necessary EDU after action
b) The on-scene uniform supervisor will complete an after action report on EDU call outs only when deemed appropriate by the EDU supervisor or his/her RU commander.

6. Officer injury.
7. Injury to suspect in custody.
8. Police vehicle collision.
9. Damage to or loss of city property.
10. Property Evidence Division (PED) firearm and narcotics destruction.
11. Any incident or event for which an Operation Order was written.
12. Any operation or mission using overtime, or significant on-duty (straight-time) resources.
13. Any other incident or event, as directed.

b. After action reports will be completed within seven working days of the incident generating it. Exceptions must be approved by the appropriate Branch chief.

c. An After Action Report will be written in memo form and addressed (through channels) to the appropriate Branch chief. The Branch chief will forward copies to the Training Division (Training) and IAD, when appropriate. An After Action Report shall be submitted in the standard Bureau format. A copy of this format will be downloaded from the Intranet, and completed as is. The format shall not be changed or altered without permission of the Chief of Police. The report format is:

1. Summary:
   a) The summary will be a short one or two paragraph narrative that describes the significant facts of the event.

2. Personnel Costs (if applicable):
   a) This will detail the costs of the incident by each employee category or rank, per current bargaining contract, and any other costs incurred that can be reasonably obtained during the seven day period. These costs will be calculated using the following formula: The number of individuals participating per rank or category multiplied by the hourly wage for that rank or category multiplied by the total hours. The lines shall be arranged in columns for easy reading. Straight time and overtime will be kept separate, but totaled at the end. The highest rate at each rank may be used.

3. Critique and Recommendations:
   a) The critique and recommendations will contain a thorough analysis of the incident. It will address any applicable directives and whether they were complied with or not complied with, and any recommendations or actions taken to address issues raised in this area of the After Action Report.
4. Appendix:
   a) The appendix will contain a compiled list of any attachments or documents that are included with the After Action Report. This will enable any subsequent reader to determine if all of the supporting documentation is present.

**Operation Orders (940.00)**

a. An Operation Order will be completed any time significant police resources are redirected from routine activities. At a minimum, an Operation Order shall be issued for the following activities:
   1. Major public events such as parades, Rose Festival events, marches, protests, or any time permitted street closures require a significant police presence.
   2. Missions that involve overtime expenditures requiring approval from a Branch chief.
   3. As directed by a superior officer.

b. Order Format:
   1. An Operation Order will be written in the Incident Action Plan format and addressed through channels to the appropriate Branch chief. A copy of this format will be downloaded from the Intranet, and completed as is. The format shall not be changed or altered without permission of the Chief of Police.

c. Recurring events.
   1. After Action Reports for recurring events should be examined prior to creating any new Operation Order to aid in the identification of best practices, lessons learned, and to address any needed issues.

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**950.00 CONFIDENTIAL CASE STATUS**

Index: Title
Refer: Confidential Case Status Form (Records)

**PROCEDURE (950.00)**

**Directive Specific Definitions**

Confidential reports: Police reports requiring a higher level of security in handling than normal. A report may be classified as confidential if:

a. It contains information of a personal nature, similar to that kept in personnel, medical or similar files, disclosure of which would constitute an unreasonable invasion of privacy.

b. It contains investigatory information compiled for criminal law purposes, and a need clearly exists to delay disclosure in the course of the investigation due to the sensitivity of the subject matter.

c. It contains material intended as an inter-bureau communication or as com-
munication between the Bureau and another public body, to the extent the report contains other than purely factual materials and is preliminary to final determination of policy and action.

d. It contains or refers to information submitted to the Bureau in confidence, not otherwise required by law to be submitted, and the Bureau, in good faith, considers itself obliged not to discuss the information or identity of the informant.

e. It is recommended for such classification and the recommendation is specifically approved by the Chief of Police.

Sensitive papers: Any Bureau correspondence that should not be processed through the city’s garbage/recycling service when it is to be discarded. Sensitive papers include copies of operational reports, personnel information and confidential memorandums.

Classification of Reports (950.00)

The following reports will be routinely classified as confidential by the Records Division (Records) and will be treated as such by other divisions/precincts/units. Following each type of report is the declassification standard. These standards will be extended or reduced with the approval of a supervisor of the unit having investigatory responsibility for the case.

<table>
<thead>
<tr>
<th>Type of report</th>
<th>Declassification standard</th>
</tr>
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<tbody>
<tr>
<td>Arsons</td>
<td>6 years</td>
</tr>
<tr>
<td>Arson; injury or death</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Bomb threats</td>
<td>30 days</td>
</tr>
<tr>
<td>Bombings or device located</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Rapes, incest and molests</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Homicides</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Member involved shootings</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Fatal traffic crash investigation</td>
<td>Indefinitely, Initial report is releasable</td>
</tr>
<tr>
<td>Possible fatal traffic crash investigations</td>
<td>30 days, Initial report is releasable</td>
</tr>
<tr>
<td>Bank robberies</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Bureau members as suspects</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Child abuse</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>Abused elderly persons in long-term care facilities/nursing homes</td>
<td>Indefinitely</td>
</tr>
</tbody>
</table>

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Reports will be declassified at the end of the above mentioned period and, thereafter, will be handled as non-confidential, unless the status is extended by completing a Confidential Case Status form and forwarding it to Records.

In all cases where the declassification standard is indefinite, it will be the responsibility of the division/precinct/unit having investigation responsibility for the case to notify Records as soon as the report can be declassified by forwarding a Confidential Case Status form to Records.

Confidential Reports (950.00)

Whenever the investigator or a supervisor believes a report not mentioned above should be classified as confidential, they will complete a Confidential Case Status form and forward the report and the completed form to Records.

A report may be classified confidential at any time during any investigation. Although unauthorized persons may have had access to a report prior to its classification as confidential, the confidential status will ensure that further supplementary information will be handled with a higher level of security.

If a report has already been processed by Records, the assigned report number will be included on the Confidential Case Status form.

Upon receipt of a completed Confidential Case Status form classifying a report as confidential; Records will forward a copy of the form to all divisions, precincts, units, members and other criminal justice agencies who may have already received a copy of the original report. It will then be the responsibility of these divisions, precincts, units, etc., to notify those who may have received copies from them, regarding this change in the case status.

After the initial distribution, copies of confidential reports or information from confidential reports will be released only with the approval of designated members of the RU to which the case has been assigned. RU managers will designate those individuals within their units who are responsible for authorizing the release of copies, or information from confidential reports.

Members not associated with the investigation and attempting to obtain information or copies, should notify Records of their request, who in turn will contact the appropriate unit for authorization.

Members may receive copies of those reports authored by them without prior approval.

Division/Precinct/Unit Responsibilities (950.00)

A division/precinct/unit receiving confidential reports, or when receiving notification that a report is classified confidential, will ensure that the reports are maintained in such a manner that only members with a need to know have access to the reports.
Destruction of Sensitive Paper (950.00)

RU managers will appoint a supervisor to be responsible for their sensitive paper collection. All sensitive papers will be shredded, bagged and disposed of.

POLICY (1010.10)
Sanctity of Life

The Portland Police Bureau recognizes and respects the integrity and value of human life, and that the decision to use deadly physical force is the most important decision that a member will make in the course of his/her career. The use of deadly physical force will emotionally, physically and psychologically impact the member involved, the subject the deadly physical force was directed at, and the family and friends of both and can impact the community as well.

Deadly Physical Force (1010.10)

The Portland Police Bureau recognizes that members may be required to use deadly force when their lives or the life of another is jeopardized by the actions of others. Therefore, state statute and Bureau policy provide for the use of deadly force under the following circumstances:

a. Members may use deadly force to protect themselves or others from what they reasonably believe to be an immediate threat of death or serious physical injury.
b. A member may use deadly force to affect the capture or prevent the escape of a suspect where the member has probable cause to believe that the suspect poses a significant and immediate threat of death or serious physical injury to the member or others.

c. If feasible, some warning has been given.

The use of statutorily defined deadly weapons, barricades and vehicle ramming, constitutes deadly physical force. Also, depending upon how they are used, flashlights, batons, body parts, and other statutorily defined dangerous weapons may constitute deadly physical force.

Members must be mindful of the risks inherent in employing deadly force, which may endanger the lives of innocent persons. A member’s reckless or negligent use of deadly force is not justified in this policy or state statute. Members are to be aware that this directive is more restrictive than state statutes. Members of the Portland Police Bureau should ensure their actions do not precipitate the use of deadly force by placing themselves or others in jeopardy by engaging in actions that are inconsistent with training the member has received with regard to acceptable training principles and tactics.

Threat indicators, Levels of Control, and Post Use of Force Medical Attention are outlined in detail in DIR 1010.20 Physical Force.

**Shooting At a Moving Vehicle (1010.10)**

For the purposes of this policy, a moving vehicle itself shall not presumptively constitute a threat that justifies the member’s use of deadly physical force. The member using deadly physical force must be able to clearly articulate the reason for the use of deadly physical force. Members shall not discharge a firearm at a person(s) in a moving vehicle unless one or both of the following criteria are met:

a. To counter an active threat of death or serious physical injury to the officer or another person, by a person in the vehicle using means other than the vehicle.

b. There are no other means available at the time to avert or eliminate the threat.

Members threatened by an oncoming vehicle should attempt to move out of its path instead of discharging a firearm at it or any of its occupants.

In those cases where the criteria are met, Bureau members shall take into account the location, vehicular and pedestrian traffic and any hazard to innocent persons before discharging a firearm at a moving vehicle.

**Additional Considerations (1010.10)**

A moving vehicle may become an uncontrolled deadly weapon that could seriously injure or kill the occupants of the vehicle and/or subjects in its path if the driver becomes incapacitated before the vehicle comes to a stop.
Members must be mindful of the following when considering the use of deadly physical force involving a vehicle:

a. Bullets fired at occupants of moving vehicles are extremely unlikely to stop or disable the moving vehicle.

b. Bullets fired may miss the intended target or ricochet and cause injury to officers or other innocent persons.

c. The vehicle may crash and cause injury to officers or other innocent persons if the bullets disable the operator.

d. Moving to cover, repositioning, and/or waiting for additional responding units to gain and maintain a superior tactical advantage maximizes officer and public safety and minimizes the necessity for use of deadly physical force.

e. Shooting accurately from a moving vehicle is extremely difficult and, therefore, unlikely to successfully stop or prevent a threat to the member or other innocent person.

These criteria do not allow members to use poor tactics or positioning as justification for discharging a firearm at a moving vehicle. An example of poor tactics would be a situation in which a member places him/herself into the path of a moving vehicle, and uses the danger he/she finds him/herself in as the sole justification for shooting at the vehicle. Tactics of this nature are prohibited.

**Shooting From a Moving Vehicle (1010.10)**

Members shall not discharge a firearm from a moving vehicle except:

a. In the immediate defense from the threat of death or serious physical injury to the officer or another person.

b. No other means exists at the time to avert or eliminate the threat.

**Other Authorized Uses for Firearms (1010.10)**

A member is also authorized to discharge a firearm in the performance of official duty under the following circumstances:

a. To kill or deter a dangerous animal or to kill an animal so badly injured that it should be destroyed to prevent further suffering.

b. At a firing range pursuant to all safety rules and regulations.

c. The definition of cover fire is when a member discharges a firearm in a tactical situation to neutralize the use of deadly physical force. Cover fire is not intended to strike a subject, but is meant only to prevent subjects from taking action against the police or others, or entering or occupying locations. Cover fire can be dangerous and must be used with extreme caution. The Portland Police Bureau reviews the use of this type of cover fire, it judges its employees by the standard of reasonableness, and expects members to have balanced the risks against the benefits, and to have considered safety factors such as backdrop and penetration, as well as the effect on the incident dynamics.
Warning Shots (1010.10)
Members will not fire warning shots.

Destruction of Animals (1010.10)
Immediate supervisors will be responsible for investigating incidents where an animal was intentionally destroyed under the guidelines of DIR 631.70. This requirement does not prohibit a supervisor from requesting Detective Division (Detectives) assistance if the circumstances dictate such involvement.

Negligent Discharge (1010.10)
Detectives will respond and assume investigative responsibility for all negligent or unintentional discharges, except:
   a. At a Bureau authorized firearms range where no person was endangered by the discharge. In those circumstances, the Training Division (Training) will have responsibility for investigation and reporting.

Release of Information (1010.10)
The Bureau realizes that it is, in every situation, accountable to the public. Public accountability requires the Bureau to provide timely and complete information when members use deadly force. However, the Bureau must weigh the public’s right to know with what is in the best interest of the investigation. As a rule, the Bureau will release, as soon as possible, accurate information which will not compromise an ongoing investigation or the potential prosecution of a suspect(s).

The Public Information Officer (PIO), who reports directly to the Chief of Police, will be called out to all use of deadly force incidents. As soon as possible, the PIO will coordinate with the Detective Division Sergeant in charge of the investigation, the on-scene representative of the District Attorney’s office, and a union representative of the involved member(s) to determine what information will be released. During the course of the criminal investigation, the Detective Division will coordinate the release of information through the PIO. The Chief of Police is ultimately responsible for approving information available for release.

The Bureau also has a responsibility to ensure that citizens and, in particular, the family of citizens directly affected by the use of deadly force, along with members of the Bureau receive timely information. To provide timely and accurate information, the Detective Division may direct the Crisis Response Team (CRT) to assign a liaison to assist in providing information to members of the community directly affected by a use of deadly force. The CRT will not release information that has not been approved for release by the Detective Division and the District Attorney’s office. Internal communication will be coordinated through the Chief of Police.

As soon as possible, the PIO will release to the public the available information. Typically, the information will include:
   a. Nature of the call.
b. Time of the call and member arrival.
c. Number of members directly involved in the use of deadly force.
d. Years of service of members directly involved in the use of deadly force.
e. General information about the citizen(s) involved in the deadly force encounter.
f. Other information as determined by the Detective Division and District Attorney’s office.

The identity of the Bureau member(s) involved in the incident will be released after a minimum of 24 hours. In incidents involving the death of a Bureau member, or member of the public, the identity will be released with approval of the Detective Division and the Medical Examiner’s office.

As is normal procedure, requests for documents, CDs and other public records will be processed through the Records Division.

The Bureau has an interest in providing the community with information in the days that follow the use of deadly force. The Detective Division will coordinate the release of information with the PIO’s office. Public accountability requires that the Bureau provide updated information in a timely manner. Information that could jeopardize the integrity of the investigation or information needed to complete the criminal investigation or any pending prosecution will be withheld from the public.

**PROCEDURES (1010.10)**

**Directive Specific Definitions**

a. Barricade: The intentional blocking/barricading of a roadway, by any means, to prevent passage of a pursued vehicle (per DIR 630.05).
b. Communication Restriction Order: An order issued in writing during an investigation that restricts the involved member(s) from discussing the facts of the case. This restriction will be given in writing and will be lifted in writing.
c. Deadly physical force: Physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury (per ORS 161.015(3)).
d. In-custody death: Occurs when a subject dies while under physical control of a member or dies while in police custody. Physical control includes the use of a Taser.
e. Involved member: A member who is involved in the actual application of deadly physical force or directs another to use deadly physical force.
f. Member: For purposes of this directive, the term member refers to any sworn member of the Portland Police Bureau. This includes reserve police officers.
g. Negligent discharge: Any unintentional discharge of a firearm by a sworn
member that is not due to equipment malfunction.
h. On-scene briefing: A brief overview of the incident given to detectives or others as necessary, for the purpose of accurately processing the scene. An on-scene briefing may include but would not be limited to, the identification of the crime scene(s), the identification of other members present, the identification of potential witnesses, and the identification of evidence at the crime scene(s).
i. Police action: Any circumstance(s), on or off duty, in which a member exercises official authority.
j. Probable cause: A substantial objective basis for believing that more likely than not an offense has been committed and a person to be arrested has committed it (per ORS 131.005(11)).
k. Serious physical injury: Physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ (per ORS 161.015(8)).
l. Warning shot: An intentional, unauthorized discharge of a firearm into the air, ground, or an inanimate object with the intent of gaining compliance by a suspect through shock or fear.
m. Witness member: A member who observes, or has firsthand knowledge of, the events surrounding an in-custody death or the use of deadly physical force by another member and, other than observing the incident, did not use deadly physical force.

Post Use of Force Medical Attention (1010.10)
When a person has been injured by the use of force by a Bureau member or there is a potential for injury to that person, a member shall continually monitor the subject, if tactically feasible or appropriate. EMS will be requested to respond if the injury requires medical attention. The member shall monitor the subject for changes in their skin and/or lip color, breathing and levels of consciousness. If any significant changes in any of these areas are observed, the member shall notify EMS immediately. See DIR 630.50 for further requirements.

Investigations and Reporting (1010.10)
The Police Bureau recognizes the importance of conducting a thorough, impartial and timely investigation into in-custody deaths and the use of deadly force by its members. The investigation into the events surrounding such incidents is of critical importance to the involved member(s), the Bureau and the community. It is the responsibility of all Bureau members to assist in these investigations for the purpose of determining justification as well as to identify any training and/or performance deficiencies. The Bureau also recognizes the impact these traumatic incidents have on its members and acknowledge the need to be sensitive when
conducting the required investigation. Recognizing these dual responsibilities, the following procedures serve to meet both goals.

The investigation of all incidents involving the use of deadly physical force and/or the death of an individual in police custody will be the responsibility of the Detective Division. This will require Homicide Detail supervisors to respond and assume responsibility for the investigation of the incident.

**Communication Restriction Order (1010.10)**

a. A communication restriction order (CRO) will be issued in writing by the Chief or as delegated to a member of the Detectives’ Homicide Detective Detail. Issuing a CRO will include:
   1. Providing a copy of the CRO to all witness and involved members before they leave the scene.
   2. Providing a copy of the CRO to a Detective Homicide Detail supervisor.

b. Documenting that the CRO was issued, and to whom.

c. Union representatives shall not communicate to either involved members or witness members what has been told to them by an individual they are representing.

d. The CRO generally will continue until the conclusion of the Grand Jury or, if no Grand Jury is held, until a disposition is entered by the District Attorney. The CRO may be extended. Reasons for the extension may include:
   1. For purposes related to the Administrative Review.
   2. While the case is under review by another law enforcement agency (i.e., FBI civil rights review, outside agency, etc.).
   3. The decision to extend the CRO will be made on a case by case basis, at the direction of the Chief of Police.

e. Members not involved in a deadly force or in-custody death incident, shall not communicate with a member who has been designated as an involved or witness member, about factual aspects of the investigation at hand, unless authorized to do so and until the involved or witness member is no longer under a CRO.

f. Members may speak with Traumatic Incident Committee (TIC) members. Members should avoid directly discussing factual aspects of the incident with TIC members, as the TIC members are directed to steer the conversation away from the facts and focus instead on the emotional issues confronting the member(s).

g. Separation of all witness and involved members is necessary in order to safeguard the integrity of the investigation. If the number of individuals to be physically separated is so great to be impractical, a supervisor or
detective will be posted to ensure that no communication regarding the incident takes place.

Duties and Responsibilities When Deadly Physical Force is Used or an In-Custody Death Occurs inside Portland during a Police Action (1010.10)

Member Responsibilities (1010.10)

a. Members as soon as practical will notify the on-scene supervisor and advise them of the member’s role in the incident (i.e., witness member, involved member, assisted at the scene). This notification shall be to identify those members involved. This notification is intended to identify those members which detectives must attempt to interview in conjunction with their investigation of the incident. This notification is not intended to compel any statements or the production of any evidence by any involved member.

Involved Members Responsibilities (1010.10)

a. The member will first notify an on-duty supervisor at the precinct of occurrence, as well as his/her own supervisor, if assigned to a precinct or division other than the precinct of occurrence. The notifications will take place as soon as possible.

b. The member, unless injured, will remain at the scene until released by an on-scene supervisor. The release from the scene must be approved by the Homicide Detail sergeant. The member will not be held at the scene any longer than necessary.

c. The involved member will make it known to the on-scene supervisor that they are an involved member, as defined.

d. The involved member(s) will be afforded all rights guaranteed under the United States and State of Oregon Constitutions and the benefits of the current collective bargaining agreement throughout the investigation.

e. The member will be provided time to discuss the incident with his/her immediate supervisor, RU manager, union representative, and private attorney. Members will not discuss the incident with anyone other than those covered in the Communication Restriction Order once it is issued, until the Communication Restriction Order is removed.

f. The involved member will be asked, but not required, to voluntarily discuss the incident with Detectives in order to ensure the prompt and accurate processing of the scene.

g. In situations requiring Detectives involvement, the member will not drive a vehicle following the incident. An uninvolved member will be assigned to transport each involved or witness member.
Witness Member Responsibilities (1010.10)

a. Witness members will make it known to the on-scene supervisor if they are a witness to the incident (as defined) or assisted at the scene.

b. All witness members, unless injured, will remain at the scene until released by the Homicide Detail sergeant. Witnesses will not be held at the scene any longer than necessary.

c. Witness members, if requested, are required to give an on-scene briefing to detectives in order to ensure that the scene is processed properly.

d. All witness members will be afforded all rights guaranteed under the United States and State of Oregon Constitutions and the benefits of the current labor agreement throughout the investigation.

e. Witness members will not discuss the incident with any other person other than their immediate supervisor, RU manager, detectives, and their union representative prior to the conclusion of their investigative interview. Members will not discuss the incident with anyone other than those covered in the Communication Restriction Order once it is issued, until the Communication Restriction Order is removed.

f. Witness members will be required to submit to an interview prior to going off shift. If injured, the witness will be interviewed when medically stable.
   1. Exceptions must be limited to those situations where the number of witnesses or the complexity of the crime scene make it necessary for the investigators to obtain additional details of the incident prior to beginning an interview.
   2. Those exceptions must be approved by the Detective Division manager.

First Arriving Supervisor Responsibilities (1010.10)

a. After complying with Directive 640.10 (secure scene and render first aid), complete the following:
   1. Separate all witness and involved members. If the number of individuals to be physically separated is so great to be impractical, a supervisor or detective will be posted to ensure that no communication regarding the incident takes place.
   2. Ensure that a single entry point into and out of the scene is established and advise BOEC of its location.
   3. Ensure that a Crime Scene log is maintained at the entry point.
   4. Make required notifications.

b. Required notifications, in the following order:
   1. Detective Division Homicide Detail Sergeant (up team).
   2. Forensic Evidence Division (Forensics).
   3. Appropriate precinct or division commander. This would include the
precinct of occurrence if the involved member is from a precinct or division separate from that of the occurrence.

4. Public Information Officer (PIO).
5. EAP Coordinator.
6. The appropriate bargaining unit representative.
c. Ensure witness and involved members weapons are retained in their holsters pending weapon examination by responding detectives.

Precinct or Division Manager Responsibilities (1010.10)
a. The precinct or division manager will notify the appropriate Branch chief and/or the Chief of Police.

Chief of Police’s Responsibilities (1010.10)
a. The Chief of Police will make the appropriate notification to the Commissioner in Charge and the Deputy City Attorney.

Detective Division Homicide Detail Responsibilities (1010.10)
a. The Detective Division Homicide Detail will be responsible for all investigative duties of an in custody death and a deadly force incident, to include the following:
2. Scene sketches.
3. Diagrams.
4. Evidence processing.
5. Interviews of involved members and supervisors.
6. Interviewing witnesses.
7. Issuing communication restriction orders.

Homicide Detail Sergeant Responsibilities (1010.10)
a. Make required notifications:
1. Detective Division Command.
2. On-call detectives.
3. District Attorney’s office.
4. Medical Examiner’s office.
5. Forensic Evidence Division, and ensure that criminalists are responding to the scene.
b. Request assistance from the East County Major Crime Team.
c. Respond to the scene and assume responsibility for the scene after receiving a briefing from the on-scene commander.
d. Take charge of the investigation.
e. Obtain a list of all members and their role in the incident from the on-scene supervisor.
f. Make investigative and scene processing assignments.
g. Ensure the appropriate checklists are used and case notebooks are prepared.
h. Ensure that the communication restriction orders are issued.
i. Ensure that all weapons have been examined, documented, as appropriate and ensure that the member is supplied with a replacement weapon by Training, if appropriate.

Detectives Responsibilities (1010.10)

a. Conduct a complete and thorough investigation of the incident. That investigation will be used to determine justification for the use of deadly physical force, as well as to identify any training or policy concerns regarding the member’s actions.
b. Conduct interviews of all witness and involved members and use the interview checklists, ensuring all applicable areas are covered. All interviews wherein material facts of the case are discussed will be tape-recorded in its entirety.
c. Interview civilian witnesses and attempt to tape-record their statement.
d. Ensure that his/her reports include detailed information related to any weapons involved, all shots fired and each shot’s trajectory and point of impact (if determinable) and any injury or damage to property.
e. Collect and submit all weapons involved in a deadly force incident, including SERT weapons, to the Oregon State Crime Lab for appropriate testing, documenting their condition as found to include serial number, rounds in chamber, and number of rounds in each magazine.
f. Complete a Summary Report and case notebooks to include all transcripts of all taped statements.
g. Submit all cases involving intentional use of deadly force, in-custody deaths and negligent discharge resulting in injury to another, to the District Attorney’s office for review.

Duties and Responsibilities when Deadly Force is Used or an In-Custody Death Occurs Outside Portland During a Police Action by a Bureau Member (1010.10)

a. Involved member.
   1. Notify the jurisdiction of occurrence.
   2. Notify your supervisor.

b. Supervisors.
   1. Supervisors will make notification as required of the on-scene supervisor.

c. Detective Division Homicide Detail.
   1. Respond to the scene, if feasible.
   2. Serve as the Bureau liaison.
Duties and Responsibilities when Deadly Force is Used Against a Bureau Member in the City of Portland (1010.10)

This will be treated in the same manner as deadly force used by a member, for notification purposes.

Detective Division will be notified in all cases and will assume investigative responsibility.

Use of Deadly Force or an In-Custody Death inside Portland by a Member From Another Jurisdiction (1010.10)

If such police action results in the use of deadly physical force against a person or an in-custody death occurs, the Bureau will normally be the investigating agency. Detectives will be responsible for the investigation.

The on-scene supervisor will ensure that an on-duty supervisor of the police officer’s agency is notified. Unless there is some immediate need to seize weapons, the involved members will be allowed to keep his/her weapon(s) until his/her agency supervisor arrives. Upon arrival, the agency supervisor will take custody of the firearm and, if necessary, surrender it to the investigator.

In order to enhance community understanding of situations, the Precinct Commander and Branch chief will be notified so that they may determine the need for community notification and information dissemination.

First Arriving Supervisors Checklist for Deadly Force or In-Custody Death (1010.10)

a. Upon arrival at the scene, and as soon as practical and safe after the use of deadly force has occurred, the supervisor will:

1. Determine the condition of all involved members and injured citizens, and ensure medical treatment is provided. If ambulance transport is required, ensure that an uninvolved member is assigned to accompany the injured member or citizen to the hospital (in the ambulance). If an involved member is injured, requires treatment and does not require ambulance transport, an uninvolved member should be assigned to transport the involved member to an appropriate facility.

2. Establish a perimeter, staging area and a single entry point into the scene and broadcast this information on the radio.

3. Separate all witness and involved members. If the number of individuals to be physically separated is so great to be impractical, a supervisor or detective will be posted to ensure that no communication regarding the incident takes place.

4. Make notifications:
   a) The Detective Division Homicide Detail Sergeant (up team).
   b) Forensic Evidence Division (Forensics).
c) The appropriate precinct or division manager. This would include the precinct of occurrence if the involved member is from a precinct or division separate from that of the occurrence.
d) The PIO.
e) The EAP Coordinator.
f) The appropriate bargaining unit representative.

5. Ask each member on scene what his/her role was in the incident (involved member, witness member, assisted at scene), and document on a log sheet. Instruct the involved members and witness members to not discuss the incident among themselves or with any other person, except their immediate on-scene supervisor, union representative and private attorney, prior to being interviewed by a detective.

6. Maintain integrity of witness and involved members weapons. If holstered, ensure it is retained there pending weapon examination by responding detectives. Weapons not still in custody of the member, but still in the crime scene, will be left as evidence if the situation is stable and safe to do so.

7. Ensure that notification of the appropriate bargaining unit has occurred. Notify the involved and witness members that they have the right to have a union representative present through all stages of this process.

8. Unless injured, do not release involved members and witness members from the scene without the approval of a Homicide Detail Sergeant.

9. Assign an uninvolved member to drive each involved member. Witness members may drive themselves. Whenever practical, each involved member and witness member should be transported in a separate vehicle.

10. Upon release from the scene, instruct the involved members, witness members and drivers of the following:
   a) Proceed to Detectives.
   b) Involved members and witness members, prior to changing out of the clothes worn at the time of the incident, must confer with the Homicide Detail Sergeant.
   c) The assigned criminalists, at the direction of the lead detective, will collect all evidence including involved members’ uniform and all outer clothing (including duty belt) and retain as evidence until instructed otherwise by the lead Detective of the investigation. This instruction should be relayed to any uninvolved member that accompanied an injured involved member to the hospital.
   d) Exceptions will be authorized by the Homicide Detail Sergeant.

11. Instruct members and witness members to remain at the Detectives
until instructed otherwise by the lead detective or they are released from Detectives with the approval of the Homicide Detail Sergeant.

1010.20 PHYSICAL FORCE

Index: Title:
Refer: ORS 161.015 (7) Physical Injury, defined
ORS 161.205 – 161.265 Use of Physical Force
DIR 630.45 Emergency Medical Custody Transports
DIR 630.50 Emergency Medical Aid
DIR 910.00 Field Reporting Handbook Instructions
DIR 940.00 After Action Reports

POLICY (1010.20)

The Portland Police Bureau recognizes that duty may require members to use force. The Bureau requires that members be capable of using effective force when appropriate. It is the policy of the Bureau to accomplish its mission as effectively as possible with as little reliance on force as practical.

The Bureau places a high value on resolving confrontations, when practical, with less force than the maximum that may be allowed by law. The Bureau also places a high value on the use of de-escalation tools that minimize the need to use force.

The Bureau is dedicated to providing the training, resources and management that help members safely and effectively resolve confrontations through the application of de-escalation tools and lower levels of force.

It is the policy of the Bureau that members use only the force reasonably necessary under the totality of circumstances to perform their duties and resolve confrontations effectively and safely. The Bureau expects members to develop and display, over the course of their practice of law enforcement, the skills and abilities that allow them to regularly resolve confrontations without resorting to the higher levels of allowable force.

Such force may be used to accomplish the following official purposes:

a. Prevent or terminate the commission or attempted commission of an offense.

b. Lawfully take a person into custody, make an arrest, or prevent an escape.

c. Prevent a suicide or serious self-inflicted injury.

d. Defend the member or other person from the use of physical force.

e. Accomplish some official purpose or duty that is authorized by law or judicial decree.

When determining if a member has used only the force reasonably necessary to perform their duties and resolve confrontations effectively and safely, the Bureau
will consider the totality of circumstances faced by the member, including the following:

a. The severity of the crime.
b. The impact of the person’s behavior on the public.
c. The extent to which the person posed an immediate threat to the safety of officers, self or others.
d. The extent to which the person actively resisted efforts at control.
e. Whether the person attempted to avoid control by flight.
f. The time, tactics and resources available.
g. Any circumstance that affects the balance of interests between the government and the person.

The Bureau’s levels of control model describes a range of effective tactical options and identifies an upper limit on the force that may potentially be used given a particular level of threat. However, authority to use force under this policy is determined by the totality of circumstances at a scene rather than any mechanical model.

**PROCEDURE (1010.20)**

**Directive Specific Definitions**

- **Force:** Physical contact that is readily capable of causing physical injury, as well as the pointing of a firearm.
- **Physical injury:** As defined in ORS 161.015 (7), the impairment of physical condition or substantial pain.

**Precipitation of Use of Force Prohibited (1010.20)**

Members should recognize that their approach to confrontations may influence whether force becomes necessary and the extent to which force must be used.

Members must not precipitate a use of force by placing themselves or others in jeopardy through actions that are inconsistent with the Police Bureau’s defensive tactics and tactical training without a substantial justification for variation from recommended practice.

**Vehicles (1010.20)**

Due to the risks involved, members should not enter an occupied vehicle capable of being driven (i.e., engine running or keys in the ignition) except to address an immediate threat of death or serious physical injury to any person.

**Post Use of Force Medical Attention (1010.20)**

When a member is involved in the use of force in which physical injury has occurred or there is reason to believe there may be a physical injury, the member, if able, shall:

a. Continually monitor the subject if tactically appropriate or feasible. The
member shall monitor the person for changes in skin or lip color, breathing and levels of consciousness. If any significant changes in any of these areas are observed, the member shall notify EMS immediately. See DIR 630.50 Emergency Medical Aid for further requirements.
b. Request EMS evaluate and treat those persons involved and injured prior to removal from the scene.
c. When pepper spray has been applied to a person, make every attempt to provide relief from the pepper spray exposure and move the person into an area of open air.
d. Contact the immediate supervisor and brief the supervisor on the incident.
e. Have the person transported to a medical facility for additional treatment if recommended by EMS. See DIR 630.45 Emergency Medical Custody Transports for important additional direction on transporting injured subjects.
f. When transporting a person from hospital treatment to a correctional facility, notify a corrections staff member of the extent of the person’s injuries and medical treatment given and provide the corrections staff with the person’s medical release forms from the medical facility.

If a person has been placed in maximum restraints or on the ground for control, members must do the following as soon as practical:

a. Release pressure/weight from the person’s back or upper body.
b. Check and continue to monitor the person’s breathing and pulse until EMS arrives.
c. Place the person in a seated position or position the person on their side to reduce the possibility of breathing problems by reducing the restriction to the person’s diaphragm.
d. Provide EMS with an update on the person’s condition if it appears to worsen.

For important additional guidance on transporting injured persons, see DIR 630.45 Emergency Medical Custody Transports.

Duty to Report and Notification and Reporting (1010.20)
Members have a duty to report any use of force that violates this Directive.
Members shall make a report when they use force to their supervisor or designee. Reports must be complete and accurate and describe the subject’s behavior and the justification for the force used including a description of the totality of circumstances that existed.

A member who causes physical injury or who takes a person to the ground by applying force will complete a Force Data Collection Report (FDCR) in addition to any other reports required by Bureau policy. A member who applies a control hold that does not cause physical injury is not required to complete a FDCR for
the control hold application. A member who applies a hold to gain control of a person, who follows commands and goes to the ground voluntarily without the application of additional force, is not required to complete a FDCR.

If the primary report and FDCR covering the specific incident are completed by one member, and another member used physical force in the incident, then each member who used physical force will complete a FDCR. The only exception to this is when the use of force was pointing a weapon at one or more persons (i.e., during a high risk stop). In that case only one FDCR need be completed.

The following circumstances do not require a FDCR:

a. Bureau approved training exercises (i.e., an in-service patrol tactics class).

b. A member unknowingly points a weapon at a person during a building search or other high risk situation (i.e., an undiscovered person was hiding behind an object at which a member pointed a weapon).

If a member’s use of force results in a person being admitted to an overnight hospital stay for treatment, a supervisor will complete an after action report. The supervisor will forward the after action report, through their chain of command, to the appropriate Branch chief. The member’s RU manager will forward a copy of the after action to the Internal Affairs Division and the Training Division.

If the member is injured and unable to submit a report, the report regarding the use of force will be completed by an on-duty supervisor. Supervisors will be notified as soon as possible of the use of physical force which requires any person to receive medical attention.

Supervisors will ensure that members comply with the reporting requirements. Members shall follow DIR 940.00 After Action Reports as it pertains to specific reporting requirements.

**Canine (K-9) Bites (1010.20)**

Canine handlers shall complete a FDCR for all bites that follow a member’s intentional application of a police canine for the purpose of biting. The canine’s handler will articulate the justification for the application of the canine and will state whether the bite was directed or not directed by the handler.

All police canine bites will be administratively reported by a supervisor, through channels, to the appropriate Branch chief in an after action report using the Bureau’s standard format.

**Handcuffing (1010.20)**

Although handcuffing is not defined as physical force in this directive, Bureau policy requires that members document each handcuffing in a police report (i.e., Investigation, Custody or Special).
Supervisor Responsibilities (1010.20)
   a. Supervisory Review of Reports
      Supervisors shall review all reports of force to determine if the reports
      are complete and accurate and whether the force was justified under this
      policy. Supervisors shall address deficiencies in reports promptly.
   b. Discipline Case Review Process
      Supervisors are required to address all requirements of force policies
      when preparing proposed findings in misconduct investigations and must
      include all available information on the totality of circumstances.

Semi-annual Review of Use of Force (1010.20)
   The Police Bureau will provide the training, resources and management neces-
   sary to help members comply with this directive.
   Each operational unit will identify a unit-based group to review the unit’s force
   practices and assist supervisors in conducting semi-annual reviews of each mem-
   ber’s performance in confrontations. The reviews are a training function, and not
   a part of the discipline process. The goals of the review effort are to:
      a. Ensure consistency and fairness.
      b. Provide feedback to officers on force and confrontation decision mak-
         ing.
      c. Identify training needs based on trends.
      d. Create a positive learning environment.

1020.00 FIREARMS
   Index:   Title; Carbines; Ammunition; Qualification
   Refer:  DIR 830.00  Arrest Without Warrant
           DIR 1010.10  Deadly Physical Force
           Handgun Qualification Course (Training)
           Shotgun Qualification Course (Training)
           Carbine Qualification Course (Training)
           Secondary Handgun Qualification Course (Training)
           Firearms Qualification Record (Training)

POLICY (1020.00)
   The use of firearms is controlled by DIR 1010.10, Deadly Physical Force.

PROCEDURE (1020.00)
   Directive Specific Definitions
      Ammunition: Projectiles, along with their fuses and primers, that can be fired
                  from a firearm.
      Bureau armorer: A person who has successfully completed armorer training in the
POLICY AND PROCEDURE

weapons systems currently used by Operations Branch personnel, and is designated as a Bureau Armorer by the Training Division (Training).

Carbine maintenance inspection: Done by a Carbine Instructor (or approved armorer) to determine that the carbine is clean, lubricated, not damaged, or altered beyond Training’s approved modifications.

During a carbine safety function check, a member will describe and demonstrate the function and safety features of the Bureau approved carbine as well as the issuance and field deployment procedures.

Certified carbine instructor (CCI): A person who has successfully completed the Bureau Carbine Instructor School and is currently designated as a Carbine Instructor by Training.

Certified firearms instructor (CFI): A person who has successfully completed the Bureau Firearms Instructor School and is currently designated as a Firearms Instructor by Training.

Cold qualification: A successful attempt at shooting a passing score of 75 points or more on the Bureau approved Handgun Qualification Course (HQC), 75 points or more on the Secondary Handgun Qualification Course (SHQC), or 75 points or more on the Shotgun Qualification Course (SQC), without prior attempts or practice shots within the preceding 12 hours.

A member is conditionally qualified when, after failing on the first attempt, he/she achieves a passing score on the second attempt (primary sidearm only). This condition requires remedial firearms training from a CFI and a successful cold qualification within 21 days after firing the conditionally qualified score. There is no conditionally qualified provision for off-duty sidearms.

Firearms training: Instruction received from a Bureau CFI or CCI for the purpose of skill enhancement. This may also include instructors from outside the Bureau who contract with the Bureau to provide approved firearms training. Training will be responsible for the approval of non-Bureau instructors.

Handgun maintenance inspection: Conducted by a CFI, or approved armorer, to determine if the handgun is clean, lubricated, not damaged, or altered beyond Training’s approved modifications.

Precinct armorer: A person who has successfully completed armorer training in the weapons systems currently used by Operations Branch personnel, and is designated as a precinct armorer by Training and the precinct commander.

Primary sidearm: A Bureau approved sidearm carried on duty as the basic firearm to be used in deadly force situations.

Secondary sidearm: A Bureau approved sidearm that is carried in a concealed manner as a backup firearm to be used in deadly force situations when the primary sidearm is rendered unavailable, inoperable or empty.

During a shotgun safety function check a member will describe and demonstrate the function and safety features of the Bureau approved shotgun as well as the issuance and field deployment procedures.
Qualification (1020.00)
Training Division Responsibilities
a. Arrange tri-annual qualifications by establishing times and locations for each RU print and distribute a Qualification Special Order no later than three weeks (21 days) prior to the start of the qualification range. Qualification ranges will be conducted during the winter, spring, and fall (generally beginning in January, May, and September respectively).
b. Print and distribute a Not Yet Qualified Report at the beginning of the open range (time during the last two weeks of the qualification period).
c. At the conclusion of the qualification range, publish and distribute a Not Qualified report. After this date, a non-qualified member can neither work in an armed capacity, nor have contact with the public.
d. Be responsible for maintaining all members’ qualification records.
e. The Bureau approved carbine is a personally issued weapon and only members who have been certified and issued a carbine will qualify with the carbine. Training will print and distribute a list to the RU’s of members who are currently qualified with the carbine.
f. When notified by Personnel Division (Personnel) that a sworn member has returned from Leave of Service (LOS), ensure that he/she is in compliance with firearms qualification requirements.

Personnel Division Responsibilities (1020.00)
Notify Training when sworn members have returned from LOS.

RU Managers Responsibilities (1020.00)
a. Ensure that sworn members who are off-duty and unable to complete a qualifying score during a designated qualification range, for whatever reason, qualify immediately (prior to contact with the public) upon returning to duty.
b. May excuse staff and undercover officers from carrying sidearms and/or extra ammunition if these items are not appropriate for the assignment. These exceptions, however, should be kept to a minimum.
c. May exempt members from qualifications based on their physical condition (with a physician’s written excuse), current job assignment (unarmed, no contact with the public), or other exceptional circumstances. Exemptions must be given in writing with a copy forwarded to the Training manager.
d. RU managers with long guns assigned to their RU will have a Weapons Storage & Issuance Procedures SOP that details security measures taken at the RU to ensure safe and secure storage for both shotguns and carbines.
Primary Sidearm (1020.00)

a. Only CFI’s are authorized to conduct official qualification courses (for record) and firearms training.

b. Sworn members are required to qualify at a Training approved firearms qualification range. These members will have their sidearm(s) inspected by a CFI, or armorer, prior to firing each weapon for qualification, and prior to being authorized to carry each firearm.

c. Sworn members will fire the 50-round handgun qualification course in its entirety with their primary sidearm.

d. If a sworn member fails to shoot a cold qualifying score on the first attempt, a second attempt on the same course must be scored. Members who successfully fire a qualifying score on the second attempt will be conditionally qualified. This condition will require remedial training as designated by Training and a successful cold qualification within three (3) weeks (21 days) after firing the conditionally qualified score. RU managers will ensure their unit members adhere to this.

e. If a sworn member fails to shoot a cold qualifying score on the second attempt (attempt to conditionally qualify) he/she must notify their immediate supervisor as soon as possible, at which time the member will be immediately reassigned to administrative duties where contact with the public is unlikely. Reassignment and mandatory remedial firearms training by a CFI will be arranged by the member’s supervisor.

f. After the member receives mandatory remedial firearms training, the member will have an opportunity to fire a qualification course for score (record). Members who fire a qualifying score will be conditionally qualified and will be required to qualify cold within three weeks (21 days).

h. During tri-annual qualification ranges, SERT members may qualify with their primary sidearms during SERT training days and forward their qualification documentation to Training.

Secondary Sidearm (1020.00)

Members who carry a secondary sidearm must qualify with it during every range qualification, firing a 25-round handgun qualification course.

Duty Sidearms (1020.00)

a. The standard trigger pull weight of the Glock semi-auto pistol will not be modified by the use of non-Glock parts of target type 31/2-pound connectors.
b. Non-factory sights, such as high visibility or night-sights, are authorized at the member’s expense. Lasers are not authorized.
c. Slip-on or adhesive-type grips that are of a non-permanent nature are authorized at the member’s expense.
d. Members may have the following Glock factory parts installed by a CFI, extended slide stop lever, extended magazine release, and a +2 magazine floor plate. Only Glock factory parts will be used in the sidearm. The slide, frame or internal parts of the sidearm will not be modified in any way, except in the course of repair.
g. All Glock sidearms carried on duty will be black in color.

Shotgun (1020.00)

a. All officers and sergeants assigned to the Operations Branch and the Tactical Operations Division will fire the shotgun qualification course at the tri-annual qualification ranges. All other officers, sergeants, detectives, and command staff will qualify once per year at the Winter Range. Members must qualify with the make, model, and style of shotgun he/she wishes to carry. Example: Remington 870 with flashlight forend.
b. All sworn members must successfully perform a shotgun function check. Those who do not successfully demonstrate the function check must do so within 30 days. It will be the responsibility of the RU manager to ensure that all sworn members in their command meet this requirement. Documentation of a successful performance must be forwarded to Training.
c. Members must fire a minimum score of 75 points on the shotgun qualification course.
d. Sworn members who have not yet attended the Bureau’s basic academy or the Advanced Academy are exempt from the function check requirement. However, while a member is attending either academy it is a requirement that he/she become proficient with the shotgun and must successfully qualify and perform the function check prior to graduation.

Carbine (1020.00)

a. Sworn members who have successfully completed AR-15 training, and who have been issued an AR-15 carbine, will qualify with their issued weapon during all qualification ranges.
b. Prior to carrying an AR-15 carbine, members must fire a minimum score of 90 points on the AR-15 carbine qualification courses.
c. Members who are AR-15 certified and have been issued a carbine who fail to successfully perform the carbine safety function check, or who fail to qualify with a minimum score of 90 points are to be considered not qualified, and are not authorized to carry an AR-15. Members who are in a not qualified status must re-qualify cold within five days, and successfully
perform the carbine safety function check within five days. Members who fail to qualify cold within five days, or who fail to successfully perform the function check, may have their issued AR-15 recalled at the discretion of the Training manager.

**Pregnancy Qualifications (1020.00)**

Sworn members, who are pregnant, under the advice of their physician, may elect to qualify using Training’s alternative qualification program. The alternate course of fire consists of 25 rounds of lead free ammunition, firing a noise-suppressed pistol.

**Qualification Documentation (1020.00)**

CFI’s are responsible for the completion and distribution of the Firearms Qualification Record, which certifies the member’s name, Bureau I.D., weapon(s) description (including serial number, make, model, barrel length, and caliber), score(s), and date of qualification. The white copy will be forwarded to Training; members will receive the pink copy for their personal records, and a yellow copy for their field 201 file.

**Firearm Standards (1020.00)**

**Primary Sidearm**

Sworn members, while on duty and working in uniform or in plainclothes, will carry one Bureau authorized primary sidearm. In addition, all members are required to carry their primary sidearm holstered while on duty. Fanny pack holsters not specifically designed to secure a gun are not authorized. Members working in uniform are required to use the standard Bureau issued holster specified by Training; however, the Chief of Police can authorize individual waivers after receiving a written request through channels from a member. If a waiver is granted, the requesting member is responsible for the purchase, repair, maintenance, and replacement of the non-issued holster.

a. While in uniform, members are authorized to carry:
   1. Glock 17, 9mm parabellum.
   2. Glock 19, 9mm parabellum.

b. While in a plain-clothes assignment, members are authorized to carry:
   1. Glock 17, 9mm parabellum.
   2. Glock 19, 9mm parabellum.
   3. Glock 26, 9mm parabellum.

**Secondary Sidearm (1020.00)**

a. The sidearm must be a double action revolver, or a semi-automatic pistol. Additionally, the revolver or pistol must have a minimum capacity of at least five rounds. The revolver or pistol must be at least a .380 acp caliber,
and cannot exceed 9mm parabellum. The ammunition should adhere to the same standards outlined for primary sidearms. Magnum ammunition or reloaded ammunition is not authorized for duty use in secondary sidearms.

b. Secondary sidearms will be carried in a holster and will be carried in a concealed manner.

Shotgun (1020.00)

a. Personally owned shotguns are not authorized for duty use by members. Generally, shotguns are precinct armory issued and stored, and are for use by qualified members.

b. The shotgun will be loaded and secured in a locking mount of a vehicle after ensuring the action is closed on an empty chamber, safety on, and the hammer is in the cocked position.

c. If a shotgun is to be carried for potential use in a vehicle that is not equipped with a locking mount the shotgun will be transported in a safe manner, with the action closed on an empty chamber, safety on, and the hammer in the cocked position.

d. Members are required to exercise due caution at all times while loading, unloading, and transporting shotguns. Safety is paramount, and members will be held to the strictest of standards regarding weapons handling safety.

e. At no time will the routine loading or unloading of a shotgun occur inside a precinct or office.

f. If a vehicle that is equipped with a shotgun is towed, parked in a service garage, or left unattended for any extended period of time the shotgun will be returned to the precinct armory. If electrical or mechanical failure renders the shotgun lock inoperable, the vehicle will be placed in the most secure facility available at the precinct and a morning relief supervisor will be notified in writing of the need to remove the shotgun.

g. Vehicles left unattended for short periods of time will be locked when a shotgun is secured in the locking mount. Shotguns will be locked in the trunk of unattended vehicles that do not have locking mounts.

h. Supervisors will be responsible for securing shotguns for members who have been injured or are unable to return the shotguns to the armory.

Carbine (1020.00)

a. Personally owned rifles and/or carbines are not authorized for duty use by members. AR-15 carbines will be individually issued and individually maintained.

b. The AR-15 will routinely be carried with a yellow safety block inserted into the magazine well and the action locked open, with the safety in the
on position.
c. Members are required to exercise due caution at all times while loading, unloading, and transporting carbines. Safety is paramount and members will be held to the strictest of standards regarding weapons handling safety.
d. At no time will routine loading or unloading of a carbine occur inside of a precinct or office.
e. If a vehicle has an AR-15 in it and it is towed, parked in a service garage, or left unattended for any extended period of time, the carbine will be returned to the precinct armory.
f. Vehicles left unattended for a short period of time will be locked when a carbine is secured in a locking mount. AR-15 carbines will be locked in the trunk of unattended vehicles that do not have locking mounts.
g. Supervisors will be responsible for securing carbines for members who have been injured or are unable to return the carbines to the armory.

Ammunition (1020.00)  
The only ammunition authorized for use in primary, secondary, shotguns, and non-SERT long guns is ammunition that has been issued or approved by Training.
a. Blank cartridges of the type that produce a muzzle blast, or escaping gas from the muzzle of a firearm, will not be used in any training exercise when there is a possibility of firing a blank at a person who is closer than 12 feet away.
b. Simmunition FX cartridges will not be used in any training exercise until all members present are properly outfitted with appropriate safety equipment, and safety officer(s) are present. Training will establish a Marking Cartridge Protocol S.O.P.
c. Members are required to carry the following number of extra cartridges for the primary sidearm while on duty:
   1. While in uniform, members are required to carry at least two magazines in addition to the magazine in the pistol.
   2. While in a plainclothes assignment, members are required to carry at least one magazine in addition to the magazine in the pistol.
d. 00 buckshot ammunition is the standard carry load for Bureau shotguns. Shotgun qualified members are authorized to have rifled slug ammunition, however, the use of rifled slugs require the authorization of a supervisor.

Modifications (1020.00)  
Training must approve all modifications to duty sidearms, shotguns, and AR-15 carbines.
Duty Sidearms (1020.00)

a. The standard trigger pull weight of the Glock semi-auto pistol will not be modified by the use of non-Glock parts of target type 31/2-pound disconnectors.

b. Non-factory sights, such as high visibility or night-sights, are authorized at the member’s expense.

c. Slip-on adhesive-type grips that are of a non-permanent nature are authorized at the member’s expense.

d. Permanent grip reduction modifications, such as that performed by the Robar Company are authorized, but only to a member’s personally owned Glock, and at the member’s expense as long as the modification does not interfere with the safe function of the firearm.

e. Slide refinishing by a non-Glock company is authorized if it improves the feel, function, or aesthetics of the weapon, but only to a member’s personally owned Glock, and at the member’s expense.

f. After-market recoil guide rods, such as metal, are authorized at the member’s expense.

Shotguns (1020.00)

a. For ends with internal flashlights are authorized at the individual precinct’s expense.

b. Slip-on butt-stock shell carriers are authorized and can be purchased either by the precinct or individual members.

c. Side-saddle type shell carriers that attach to the receiver of the shotgun are authorized and are purchased at the precinct’s expense.

AR-15 Carbines (1020.00)

Members will not alter or modify AR-15 carbines issued by the Bureau without written authorization from the Training manager.

Acquisition, Issuance and Storage of Equipment (1020.00)

Weapons, ammunition and handcuffs that are sold or issued to members by the Bureau will be used solely by the receiving member. The purchase or receipt of issued property for the purpose of resale or gift giving is prohibited.

Sidearms (1020.00)

a. Primary duty sidearms (Glock pistols) will be issued to all newly hired sworn members on their date of hire. Additionally, regular and Reserve officers (who have completed background checks) may acquire certain Bureau approved weapons and handcuffs from Training.

b. Retiring members whose duty firearm was issued by the City have the option of purchasing that firearm at the original price paid by the City,
plus any applicable Federal Excise Tax (FET).
c. Reserve officers who request to purchase a weapon through the Bureau are required to have the Reserve Coordinator forward an interoffice memo, through channels, to Training. The memo will state that a background check has been completed on the Reserve officer and will specify the exact weapon(s) to be purchased.
d. Requests by members to purchase a firearm for duty use from an outside vendor may request a letter from the Training Firearms Sergeant. The letter will comply with all state and federal requirements.

**Shotgun (1020.00)**

a. The Training manager is responsible for controlling the Bureau’s inventory of shotguns, including allocations, inspections, and maintenance.
b. RU managers are responsible for the security, inventory, storage, issuance, cleaning, and inspection of shotguns that are assigned to their RU.
c. RU managers, with the assistance of Training, will establish an inspection protocol for the shotguns within their RU. This inspection will include, but is not limited to:
   1. Cleanliness of the weapon.
   2. Proper lubrication.
   3. Damage or unauthorized modifications or alterations.
   4. Serial number verification.
d. When not in use, all shotguns will be unloaded and stored with the actions open and safety on.
e. A Shotgun Issue Log (Precinct/Division Equipment) will be maintained to record the daily issue and check-in of shotguns.
f. After acquiring a shotgun from the armory, the member is responsible for ensuring that the weapon is functioning properly.
g. Non-uniformed sworn members may check out shotguns from a precinct with the permission of a precinct supervisor.
h. The only ammunition carried in or on the shotgun will be Bureau issued.
i. Supervisors will monitor issuance procedures.
j. Under certain circumstances supervisors may require qualified members to carry a shotgun.

**Carbine (1020.00)**

a. The Training manager is responsible for controlling the Bureau’s inventory of all non-SERT AR-15 carbines, including allocations, inspections, and maintenance.
b. RU managers are responsible for the security, inventory, storage, and inspection of carbines that are assigned to personnel within their RU.
c. RU managers, with the assistance of Training, will establish an inspection protocol for the AR-15 carbines within their RU. This inspection will include, but not be limited to:
   1. Cleanliness of the weapon.
   2. Proper lubrication.
   3. Damage or unauthorized modifications or alterations.
   4. Serial number verification.

d. When not in use, all AR-15’s will be unloaded and stored with an issued yellow colored magazine well / bolt hold open block, action open, safety on.

e. Members, when checking out their issued AR-15 from the armory or secure storage area, will conduct a function check to ensure his/her AR-15 is functioning properly.

f. The only ammunition carried in or on the AR-15 will be Bureau issued or approved by Training.

g. Supervisors will monitor issuance procedures.

**Firearms Cleaning and Maintenance (1020.00)**

a. A properly maintained firearm is essential to ensure weapon efficiency, reliability, accuracy, and officer safety.

b. After discharging a firearm on duty for qualifications, training, practice, or in the official course of duty, members will be provided with adequate opportunity to thoroughly clean their firearm(s) in a manner consistent with Bureau standards. Supervisors will ensure that this occurs prior to the end of the member’s shift, or before the commencement of his/her next regular shift or duties.

c. When weapons become contaminated, fouled, thoroughly wet, or dirty while on-duty, members will clean the firearm as soon as possible, or prior to the end of the shift, whichever is first. Training will be responsible for providing gun-cleaning equipment in the Justice Center range. Precinct commanders are responsible for providing gun-cleaning equipment at the precinct.

RU managers will be responsible for ensuring that his/her assigned members are provided with the opportunity to comply with the firearms cleaning and maintenance section of this DIR.

**RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL (1020.00)**

The Training manager will be responsible to ensure that the provisions of this DIR are followed through the process of approval and review of training lessons, techniques, and procedures used by Training. RU managers will be responsible to ensure that the provisions of this DIR are followed within his/her RU.
POLICY AND PROCEDURE

1025.00 FIREARMS AT PORTLAND INTERNATIONAL AIRPORT
Index: Title
Refer: Notice to Armed Individuals form, WN-364 (Airlines)

POLICY (1025.00)
Federal Aviation Administration (FAA) regulations control security at international airports. These regulations are strictly enforced and Bureau members are not exempt from following them.

PROCEDURE (1025.00)

Directive
Specific Definitions

Checked: A term referring to checking luggage in at the main ticket counter to be loaded aboard the aircraft by airline employees.

Gate security checkpoints: Those areas containing metal detectors and x-ray devices that are used to scan passengers and their carry-on luggage for contraband.

Official Business at the Airport (1025.00)

a. Sworn members should notify the Port of Portland (Port) Police of pending trips to the airport for official business.

b. On-duty sworn members, uniformed and plainclothes assignments, who have official business at the airport, may move freely about the area outside the Gate Security Checkpoints (GSC).

c. If official business requires members to go beyond one of the GSC, members must do the following:
   1. Show their Bureau identification to airport security personnel (a badge alone will not be accepted).
   2. Notify airport security personnel of their desire to proceed past the GSC.
   3. Wait for a Port police officer to be summoned to their location.
   4. Show his/her Bureau identification to the Port police officer upon their arrival for verification.
   5. Be escorted through the airport’s secure areas by the Port officer.

d. Those members of the Portland Police Bureau that have been issued PDX Security Badges (Black Star) shall conduct their business in accordance with Portland International Airport security policies regarding armed law enforcement in secure areas.

Emergency Situation (1025.00)
In an emergency situation that does not allow time to be escorted past the GSCs, members will do the following:

a. Proceed past the GSC without consulting airport security or waiting for a Port officer.
b. As the member(s) pass the GSC, he/she will in a clearly audible voice:
   1. Announce his/her presence.
   2. Identify himself/herself as police officer.
   3. State that an emergency situation exists.

This action on the part of the member will set off an alarm, notifying Port police that someone has passed unchecked through a GSC. Port police will locate the member(s) and take appropriate action such as identifying the member(s) as police officers. GSC personnel will forward a report detailing the incident to the FAA.

**Traveling on Official Business (1025.00)**

The Police Bureau has occasion to send sworn members on official business. When traveling on official business, Bureau members must abide by FAA regulations for law enforcement officers traveling while armed. This requires members to do the following:

a. Complete the Law Enforcement Officer’s Flying Armed training class.
   1. Members wishing to take this class will contact the Training Division (Training).

b. Present the following at the main ticket counter:
   1. Law enforcement identification at the main ticket counter. The identification must contain a full-face photograph, the member’s signature and the signature of the authorizing official.
   2. An original letter on Bureau letterhead stationary stating the need to have the member’s weapon accessible in-flight. The letter must contain the member’s specific itinerary and shall be signed by the member’s Branch chief or designee.
   3. A completed Notice to Armed Individuals form (WN-364). This form affirms that the member has completed the Law Enforcement Officer’s Flying Armed training class.
      a) If the member’s itinerary requires more than one WN-364 form, the additional forms will be completed prior to departure and presented to the gate agent at the departure gate.
   c. The member’s weapon should be concealed, unless the uniform design requires it to be exposed. The member’s weapon will remain upon his/her person throughout the flight.
      1. No weapons will be placed in the overhead bins.
   d. No alcohol will be consumed by a member while traveling armed.

**Personal Business (1025.00)**

Off-duty members must follow the same procedures concerning firearms and/or ammunition as the general public when going to the airport. The procedures for traveling by air with firearm(s) and/or ammunition is as follows:

a. Firearm(s) will be packed in a secure container in locked luggage.
b. The traveling member must be the sole possessor of the luggage key.
c. Ammunition may be packed in the same luggage but must not be loaded in the firearm(s).
d. Luggage containing firearms and/or ammunition will be checked.
e. All firearms and ammunition will be declared when the luggage is checked.

Aircraft Not Associated With the Main Terminal (1025.00)
Companies such as Flightcraft and UPS have operations away from the airport’s main terminal and control their own security. These areas are still subject to FAA regulations. Contact should be made with the controlling company if members have questions or are planning to visit these areas of the airport.

1030.00 BATON USE

Index: Title; Batons, Definition of; Force, Instruments Used with; PR-24
Refer: DIR 1010.10 Deadly Physical Force
       DIR 1010.20 Physical Force

POLICY (1030.00)
Members will use only those batons issued by the Bureau. The use of baton is governed by the Bureau’s use of physical and deadly force policies and procedures (refer to DIR 1010.10 Deadly Physical Force and 1010.20 Physical Force).

The straight expandable police baton is a mandatory uniform instrument for officers and sergeants assigned to the Operations Branch and Tactical Operations Division. When certified, those members will carry the baton at all times while in uniform. Members required to carry the baton, as well as those desiring to do so, will complete the Bureau’s certification course prior to issuance. Once certified, members will maintain certification.

The PR-24 side-handled baton is issued to every sworn member and is only used in specific tactical situations as directed by a precinct commander.

PROCEDURE (1030.00)

Directive Specific Definitions

Baton: An authorized instrument designed for blocking, jabbing, striking, or to apply control holds while engaged in a police action.

Police action: Any circumstance, on or off duty, in which a sworn member of the Bureau exercises or attempts to exercise official police authority (refer to DIR 1010.10).

Side-handled baton: A Bureau approved baton used only in specific tactical situation as determined by precinct commanders (i.e., crowd control, riot).

Straight expandable baton: A Bureau approved collapsing/telescoping baton issued as standard equipment to certified personnel.
Straight Expandable Baton (1030.00)

The straight expandable baton will be issued upon successful completion of the training and certified course. Requests for training and certification or refresher courses will be directed to the Training Division (Training). Refresher training may be conducted by Training or a certified precinct/division instructor. Copies of certification and refresher training will be maintained by Training.

Side-Handled Baton (1030.00)

PR-24 side-handled batons will be issued to all sworn members. Crowd control and riot training using the PR-24 side-handled baton will be coordinated by Training.

Notification and Reporting of Use (1030.00)

Members using a baton in a police action will verbally notify an on-duty supervisor as soon as practicable and document the incident in a written report prior to the end of shift as required by DIR 1010.20 Physical Force. The supervisor will document any injury requiring medical attention (including medical checks) in an inter-office memorandum, through channels, to his/her Branch chief.

If a member using a baton is incapacitated during a police action, use of the baton will be documented in a report submitted by the supervisor.

Other Instruments Used to Strike or Jab (1030.00)

If it becomes necessary for a member to use another instrument as a striking or jabbing device (i.e., flashlight, pack set, etc.), the use of such an instrument is regulated by the Bureau’s policies regarding the use of physical or deadly force depending upon how the instrument was used. The use of such instruments is strongly discouraged and is appropriate only when the member reasonably believes that other authorized physical force responses are not available.

1040.00 AEROSOL RESTRAINTS

Index: Title; Chemical Agents, Use of; Pepper Spray
Refer: ORS 161.205 – 161.265 Use of Physical Force
       DIR 1010.20 Physical Force
       DIR 1090.00 Special Weapons

POLICY (1040.00)

The use of pepper spray provides members with an alternative method of attempting to deal with resistive and combative subjects while reducing the chances of physical injury to involved individuals. All officers and sergeants will receive training in the use of pepper spray. Once trained, they will carry pepper spray while on duty. Exceptions to this provision may be granted by a unit or division
POLICY AND PROCEDURE

manager due to tactical or covert considerations. Other units or divisions will be issued pepper spray at the discretion of their manager. The use of aerosol restraints is governed by the Bureau’s use of physical force policy and procedure (refer to DIR 1010.20 Physical Force).

PROCEDURE (1040.00)

Directive Specific Definitions
Passive resistance: Actions that do not prevent or attempt to prevent the members attempt to control a subject. Examples include when the subject merely goes limp and/or fails to comply with verbal commands with no other overt signs of physical resistance.

Pepper spray: A hand-held aerosol spray containing organic capsaicin oils derived from pepper plants, which affects individuals for several minutes, often incapacitating them. Most effects dissipate within 30-40 minutes.

Use of Pepper Spray
a. Pepper spray may be used, at the member’s discretion, when persons engage in physical resistance or indicate the intent to engage in physical resistance, (not to include passive resistance), pursuant to the procedures in DIR 1010.20 Physical Force.
b. Pepper spray may be used on vicious or aggressive animals when the presence of those animals interferes with the safety of the officers or the successful completion of a police function.
c. Pepper spray is the standard item of equipment for sworn members.
d. Only Bureau-issued pepper spray may be carried or used.
e. To reduce the potential for splash back, pepper spray will only be used from distances greater than four (4) feet unless it appears to be reasonably necessary to protect the member or another person from imminent physical injury.
f. The use of organic or chemical agents is discussed in DIR 1090.00 Special Weapons.
g. Pepper spray may be used in passive resistance situations only when authorized by an incident commander as part of a crowd control strategy.

Actions Following The Use of Pepper Spray (1040.00)

a. Persons exposed to pepper spray should be exposed to fresh air as soon as possible.
b. Members will make a reasonable effort to ensure that persons exposed to pepper spray are permitted to water flush or receive a water flushing of exposed areas, if necessary and tactically feasible.
c. For individuals taken into custody who have been exposed to pepper spray, members will ensure that they are examined periodically while
in the member’s presence or custody for evidence that the effect of the exposure appears to have been neutralized. When a subject is booked into MCDC, the member will advise the on-duty personnel that pepper spray has been used.

d. Afflicted persons who, in the member’s opinion, are suffering from the effects that appear to be abnormal for the circumstances should be examined by medical personnel.

Notification and Reporting (1040.00)

a. Any member who uses pepper spray on a person will verbally notify an on-duty supervisor as soon as practicable.

b. Prior to completing the tour of duty, the member will submit a written report, as required in DIR 1010.20, specifying the circumstances in which pepper spray was used and what effects the use had on the recipient.

1050.00 LESS LETHAL WEAPONS AND MUNITIONS

Policy and Procedure (1050.00)

Only those members currently certified with the less lethal weapons and specialty impact munitions, as described below, are authorized to deploy them. The use of less lethal weapons and munitions are governed by the Bureau’s use of physical force policy and procedure (refer to DIR 1010.20 Physical Force).

Procedure (1050.00)

Directive Specific Definitions

Less lethal weapon: A Bureau issued shotgun that is capable of delivering standard lethal 12-gauge shotgun rounds, but is intended to fire only less lethal specialty impact munitions. These weapons are conspicuously marked with orange stocks that are marked “less lethal” and with orange lighted forends to differentiate them from standard shotguns.

Sage launcher: A Bureau issued launcher capable of delivering a 37mm less lethal round.

Specialty Impact Munitions: Bureau issued rounds of ammunition that are designed to be less lethal. Less lethal munitions are not intended to produce deadly effects, but just as with other impact weapons, they can cause serious injury or death. Although this round was designed to be less lethal, it is not to be considered non-lethal.
Training and Certification (1050.00)

The Training Division (Training) is responsible for training and (re)categorization of members in the proper use and deployment of less lethal specialty impact munitions. Requests for training and certification shall come from the RU managers to Training via Training Applications. Training Applications will not be accepted until course dates have been announced. To obtain and maintain certification, members must qualify on the shotgun qualification course and the less lethal qualification courses at every tri-annual qualification range. Copies of (re)categorization records will be distributed to the member’s Unit/Division at the end of each qualification period. The member’s RU manager can make exceptions to the member’s maintenance of certification, if due to an assignment to a non-patrol unit or for an extended leave of absence.

Deployment (1050.00)

Once certified in less lethal, members will carry the less lethal designated shotgun in their patrol vehicles while in a uniform assignment. RU Managers will ensure that the less lethal designated shotguns are carried in a secure manner in the vehicles used by their members. RU managers may authorize certified members who are not working in a uniform capacity, such as DVD, to take a less lethal designated shotgun on specific tactical missions, such as a warrant service.

Less Lethal Weapons, Standard Shotguns and Ammunition (1050.00)

With the exception of SERT members, members will only load Bureau issued 12-gauge lethal rounds into Bureau issued shotguns and will only load Bureau issued less lethal specialty impact munitions into Bureau issued less lethal weapons. Under no circumstances will a member carry any standard 12-gauge lethal rounds on his/her person or utility belt while also carrying a less lethal weapon.

Medical Treatment (1050.00)

If a member strikes a subject with a specialty impact round, the member(s) at the incident will request EMS for a medical evaluation of the subject’s injuries. The subject cannot be forced to accept medical treatment. All refusals for treatment must be documented in a report.

Verbal Warnings (1050.00)

Members will, if feasible, provide a warning to a suspect before shooting the suspect with a less lethal shotgun. The warning should be explicit. For example, a statement such as, “Stop, get on the ground or I’ll shoot” would be adequate. Simply shouting “less lethal” or “bean bag” or the equivalent is not sufficient.

Notification and Reporting of Use (1050.00)

Members who discharge a less lethal weapon will verbally notify an on-duty
POLICY AND PROCEDURE

supervisor as soon as practical. Before going off duty, the member will complete and submit a Force Data Collection Report documenting the incident. The Force Data Collection Report will contain the specific circumstances that led to the discharge of the weapon; the name, rank and Bureau I.D. of the supervisor who was verbally notified; and the name, rank and Bureau I.D. of the responding supervisor, if different. Members will note what warning was given in his/her report documenting the use of the less lethal shotgun. If no warning was given, members will state in his/her report why it was not feasible to give a warning. If the member who discharged the weapon is injured and unable to submit reports, reports will then be completed by an on-duty supervisor.

Upon notification that a subject was struck by a specialty impact round, a supervisor will respond to the scene (and hospital, if transported before arrival). The responding supervisor will notify the Detective Division if the subject receives a serious physical injury, as defined in the ORS. The supervisor will take photographs of the point(s) of contact/injury to the subject and document the injuries in an After Action Memorandum sent through channels to their Branch chief. Consent should be obtained before photographing any private areas of the subject’s body. The photographs will be placed into evidence with a property receipt.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (1050.00)

Supervisors approving reports shall ensure that all pertinent information is contained in the reports to include the description of the subject’s actions compelling the use of less lethal specialty impact munitions.

RU managers shall ensure the security and maintenance of weapons assigned to their unit. RU managers will also ensure that weapons are assigned in a manner that optimizes their continuous availability throughout their precinct for emergency deployments. They shall provide audits and inspections to ensure that the procedures are being followed.

The Training manager is responsible for the procurement and repair of weapons and munitions and their issuance to other units. He/she is also responsible for the proper training and re-certification of Bureau members and for evaluating completed Less Lethal Munitions Database Reports.

1051.00 TASER, LESS LETHAL WEAPON SYSTEM
Index: Title, Taser; Weapons, Less Lethal
Refer: ORS 161.015 Physical Injury, defined
       DIR 341.00 Discipline Process and Review Boards
       DIR 940.00 After Action Report and Operations Orders
       DIR 1010.20 Physical Force
       Training Application (Training)
       After Action Report (CHO)
POLICY AND PROCEDURE

POLICY (1051.00)

The Taser is a less lethal weapon system that delivers electrical energy, and is deployed against subjects who are placing themselves or others in danger of physical injury and/or death. The Taser is designed to incapacitate a person rather than injure him/her. This allows members to take a combative person into custody with a minimum risk of injury to all of the parties involved. The amount of control or force used in an encounter will be governed by the circumstances of each situation taken as a whole in accordance with the Bureau’s levels of control.

The use of the Taser probes and a drive stun will be considered as the same level of control when deployed.

The Taser is a mandatory uniform instrument for officers and sergeants assigned to uniform assignments. Exceptions to this may be made by the member’s Branch chief. Other units or divisions will be issued Tasers at the discretion of his/her manager.

Authorized Use of the Taser (1051.00)

The Taser may be used in the following circumstances pursuant to the procedures in DIR 1010.20:

a. A person engages in or displays the intent to engage in physical resistance to a lawful police action. Physical resistance is actions that prevent or attempt to prevent a member’s attempt to control a subject, but do not involve attempts to harm the member.

b. A person engages in or displays the intent to engage in aggressive physical resistance to a lawful police action. Aggressive physical resistance is physical actions of attack or threat of attack, coupled with the ability to carry out the attack, which may cause physical injury.

c. A person engages in or displays the intent to engage in suicidal behavior.

Only those members currently certified with the Taser are authorized to deploy the Taser.

Members deploying the Taser operationally, if feasible, should be supported by at least one officer capable of providing immediate cover. The Taser is not meant to take the place of deadly force options.

Prohibited Use of the Taser (1051.00)

The Taser shall not be used on the following persons or circumstances, unless one of the exceptions following this list is met:

a. Children, who are known to be, or are obviously under the age of 12.

b. Persons, who are known to be, or are obviously older than 60 years of age.

c. A woman who is known to be, or is obviously pregnant.

d. A person known to be, or is obviously medically fragile.
Exceptions that would permit the use of the Taser on the above persons or circumstances:

a. The person is armed with a dangerous weapon.
b. The person is engaging in suicidal behavior.
c. The person cannot safely be controlled with other force options.

The Taser shall not be used on handcuffed suspects unless the subject is actively engaging in aggressive physical resistance. Members should obtain, when time permits, supervisory authorization before deploying the Taser on a handcuffed suspect. If used, a supervisor will be notified immediately.

In addition, the use of the Taser is prohibited:

a. For horseplay or practical jokes.
b. At demonstrations or protests without the permission of the Incident Commander.
c. To harass or unduly influence a person under any circumstances.

The Taser shall not be used on subjects engaging in passive resistance.

The Taser shall not be aimed at the head or face.

The Taser shall not be used on subjects who are known to have come in contact with flammables or those in areas where flammables are present. The Bureau currently authorizes the use of a water based oleoresin capsicum spray that is not flammable. However, some police agencies use an alcohol based oleoresin capsicum that is flammable. This should be considered when working with outside agencies.

Cautionary Use of the Taser (1051.00)

Consideration should be given before deployment on individuals who are standing in or near a body of water, in an elevated position or in such a position where a fall could likely cause serious injury/death. In those cases, other methods of control should be considered unless they are unreasonable, too dangerous or pose a higher likelihood of injury than deploying the Taser.

Consideration of alternate tactics or less lethal options should be given in the event a Taser deployment, and/or subsequent deployments, is unsuccessful.

Consideration should be given before deployment on fleeing suspects based on the following factors:

a. The severity of the crime.
b. The threat to other officers or citizens.
c. The subject’s known history of violent behavior.

PROCEDURE (1051.00)

Directive Specific Definitions

a. The probe cartridge is a device that contains two probes, connected to light gauge wire that is propelled and attaches to the subject upon activation of the Taser.
b. Drive stun is the procedure of using the Taser with a spent probe cartridge or no probe cartridge to make physical contact with a subject and deliver energy.

c. Immediate cover is a member who stands ready to deploy additional control if needed (i.e., the Taser is ineffective or it fails to function properly).

Training and Certification Required Prior to Deployment (1051.00)

The Training Division (Training) is responsible for the training, certification and recertification of members in the proper use and deployment of the Taser. To obtain certification, members must complete the Taser Basic Operator’s course as conducted by Training. To maintain certification, members must attend periodic refresher training as mandated by Training.

Verbal Warnings Prior to and During Deployment (1051.00)

Members will, if feasible, provide a warning to the subject before using the Taser. The warning should be an explicit statement such as, “Stop, get on the ground, or you will be Tasered.”

Members should announce to cover officers that the Taser is being deployed. A verbal notification such as, “Taser, Taser, Taser,” should be used.

Conditions and Behaviors Requiring Medical Treatment after Deployment (1051.00)

When members deploy the Taser on a person who fits any of the following categories, members must summon EMS to the scene. Members will ensure that EMS examines the person at the scene and transports the person to a hospital unless the person is not in custody, is mentally competent, and refuses examination and transport.

a. Children, who are known to be, or are obviously under the age of 12.

b. Persons, who are known to be, or are obviously older than 60 years of age.

c. A woman who is known to be, or obviously pregnant.

d. A person who is known to be, or obviously medically fragile (i.e., any individual with a chronic medical illness). Examples include diabetes, seizure disorder, emphysema, asthma, heart disease (previous heart attack, chest pain, angina), history of pacemaker or defibrillator, kidney failure, cancer, or transplant.

e. A person suffering from hyper stimulation (before, during or after deployment). This includes the following: behaviors such as rapid speech, agitation, apprehension, excitation, restlessness, verbalization of impending doom, emotional instability; physical symptoms such as dilated pupils, headache, teeth grinding, clenched teeth, nausea, vomiting, vertigo, tremor (i.e., twitching of small muscles, especially facial and finger), tics, non
purposeful movements, pseudo hallucinations (i.e., cocaine bugs), seizures or coma; pale skin, racing pulse or increased breathing; skin temperature hot or very warm to touch.

f. A person suffering from agitated delirium (before, during or after deployment). This includes the following: severe agitation, overamped or wired; paranoia; delirium (an abnormal mental state characterized by disorientation, fear, and irritability), altered mental status (a change in the level of consciousness or the content of consciousness), confusion or disorientation, restlessness or purposeless movements in the setting of cocaine use, tremor (i.e., twitching of small muscles, especially facial and finger).

Other Medical Treatment After Deployment (1051.00)

When the Taser is deployed on a person, other than those listed above in required medical treatment, using:

a. Drive stun mode:
   1. EMS personnel will not be summoned to the scene unless medical treatment is necessary.

b. Probe deployment mode:
   1. If the probes are embedded in the skin, once the person is in custody, EMS will be summoned to remove the probes and provide medical treatment if necessary.
   2. If the probes are not embedded in the skin, EMS will not be summoned unless medical treatment is necessary (probes may be attached to clothing only).

c. PFB will be the first responder to deployments that require only the removal of probes and no other medical treatment, other than removal and treatment of the wound caused by the Taser probes. To ensure a response from PFB only, members must advise BOEC that the patient is breathing, conscious, and only PFB is needed to remove the Taser probes.

d. If the Taser is deployed outside of PFB’s response area, and medical treatment is mandated by this Directive or other injury, the fire department or EMS with jurisdiction will be summoned.

e. Member responsibilities:
   1. The primary member for the incident will ensure that his/her on-duty supervisor is notified about any Taser related EMS transport.
   2. The supervisor that is notified will follow the normal procedures for posting a guard at the hospital as needed.

Actions Following the Use of the Taser (1051.00)

Following the operational discharge of Taser probes, the Taser probes will be collected and placed into evidence. Members will use biohazard precautions when
handling Taser probes that were removed from a person. The used Taser probes will be re-inserted, point down, into the discharged air cartridge and covered with biohazard tape before being placed into evidence bags.

Members will photograph the areas of the probe strikes, if possible, before and after probe removal. Consent should be obtained before photographing personally sensitive areas. All photographs of probe strikes will be placed into evidence in accordance with DIR 660.10.

**Notification and Reporting of Use (1051.00)**

After a Taser deployment, the deploying officer will immediately notify an on-duty supervisor. If the deploying member is incapacitated or otherwise unable to make the notification, another member at the scene will make the notification.

Members using a Taser on a person will, in accordance with DIR 1010.20 Physical Force, complete the appropriate police reports documenting the circumstances of the Taser deployment prior to the end of shift. At the top of the narrative section of the report the member will write TASER to assist with report tracking. The report shall document:

a. The specific circumstances leading to the use of the Taser.

b. All verbal warnings given to officers and the subject. If no warnings were given, members will document the circumstances that precluded any warnings.

c. If deployed on any person or in any circumstance described in prohibited use of the Taser or cautionary use of the Taser, members will explain what considerations were taken and why other methods of control were unreasonable, too dangerous or posed a higher likelihood of injury than deploying the Taser. For example, the subject was armed with a dangerous weapon.

d. The distance from which the Taser was used.

e. The serial numbers of all air cartridges expended.

f. The serial number of the Taser used.

g. The name and DPSST number of the member designated as immediate cover.

h. The name and DPSST number of the notified and/or reporting supervisor.

i. That EMS responded, and the results of any medical evaluation. If EMS is not summoned, members will document the reason why.

j. Any evidence of injury or illness (notations should be in the appropriate box on the face sheet of the report).

k. Any complaints of injury or illness (notations should be in the appropriate box on the face sheet of the report).
Negligent Discharge (1051.00)
An on-duty supervisor will respond and assume investigative responsibility for all negligent or unintentional discharges, except:

a. At Bureau authorized training events. In those circumstances, the Training Division (Training) will have responsibility for investigation and reporting.

RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL (1051.00)

Member Responsibilities (1051.00)
Members carrying the X-26 Taser will check the battery level at the beginning of each shift and ensure that the battery charge meets or exceeds recommended levels outlined by Training.

Supervisor Responsibilities (1051.00)
Supervisors shall ensure that all pertinent information is documented in the appropriate reports, and that all appropriate evidence is collected, following the use of the Taser. The supervisor will also complete an After Action Report in the following circumstances:

a. Deployments on children who are known to be, or are obviously under the age of 12.
b. Deployments on persons who are known to be, or are obviously older than 60 years of age.
c. Deployments on women who are known to be, or are obviously pregnant.
d. Deployments on persons who are known to be, or are obviously medically fragile.
e. Deployments on persons who are suffering from hyper-stimulation.
f. Deployments on persons who are suffering from agitated delirium.
g. Deployments with more than three cycles of the Taser.
h. Deployments against persons who are handcuffed.
i. Deployments that are outside of Bureau policy.
j. Deployments that result in a subject being admitted to an overnight hospital stay for treatment (see DIR 1010.20 Physical Force).

The supervisor will also make a recommendation on whether the deployment was within policy or not within policy. The After Action Report will be forwarded through channels to the Branch chief.

When an After Action is not required after a Taser deployment, the supervisor will ensure that the Taser data port download for the incident is attached to the Force Data Collection Report form.

RU Manager Responsibilities (1051.00)
The member’s RU manager will review the Taser deployment and make a recom-
mendation to the member’s Branch chief on whether the use was within policy or not within policy. RU managers are responsible for the security of the Tasers and associated equipment, assigned to their RU.

**Training Manager Responsibilities (1051.00)**

The Training manager will review the Taser deployment and make a recommendation to the deploying member’s Branch chief on whether the use was within policy or not within policy.

The Training manager is responsible for the following:

a. Procurement, maintenance, and issuance of the Tasers, and associated equipment.

b. The training, certification and recertification of members in the use of the Taser.

c. The Training manager will conduct a review of the Taser program when requested by the Chief of Police, Branch chief or as necessary. The review may include an analysis of all deployments, training, and examination of the Taser policy. At the completion of the review, the Training manager will prepare a written report outlining the results and forward it to the Chief or Branch chief.

d. Meet with the Taser Medical Safety Committee (TMSC) when directed by the Chief, Branch chief or as necessary. Taser Medical Safety Committee (TMSC): TMSC is a committee comprised of members from Training, the Director of Multnomah County’s Emergency Medical Services or designee, the State Medical Examiner or designee, citizens appointed by the Chief of Police and members of PFB.

**Branch Chief Responsibilities (1051.00)**

The Branch chief may concur with or controvert the recommended findings made by the member’s RU manager and/or Training manager. If the Branch chief determines that the use of the Taser was within policy, no further review will be conducted. If the Branch chief determines that the use of the Taser was not within policy, the incident will be forwarded through channels to the Use of Force Review Board (UFRB).
1060.00 WEAPONS DISPOSITION AND DISPOSAL

Index: Evidence – Weapons, Disposition and Disposal of; Firearms, Disposition and Disposal of; Firearms, Evidence Held as; Guns, Disposition and Disposal of

Refer: ORS 133.033 Peace Officer; Community Caretaking Functions
ORS 166.250 Unlawful Possession of Firearms
ORS 166.270 Possession of Weapons by Certain Felons
ORS 166.280 Seizure of Firearms, Dangerous Weapons and Concealed Weapons; Destruction; Exception; Sale by Auction
City Code 14A.60 Weapons and Explosives
City Code 14C.30.040 Seizure and Disposition of Weapons
DIR 660.10 Property and Evidence Procedure
DIR 1070.00 Firearms Confiscation and Acquisition

PROCEDURE (1060.00)

Intake Procedures

Members taking into custody as evidence or property, a dangerous or deadly weapon will turn it over to the custody of the Property Evidence Division (PED), the Forensic Evidence Division (Forensics), or the Oregon State Crime Lab (Crime Lab) before being relieved from duty. Weapons taken into custody will be handled in accordance with DIR 660.10 Property and Evidence Procedure.

Weapons will not be dismantled by the member taking them into custody, except as necessary to render them safe. Firearms will be submitted with their actions secured in the open position. Firearms will be checked by the member to determine if they are stolen or wanted.

Deadly or Dangerous Weapons Surrendered for Destruction (1060.00)

A dangerous weapon is any instrument, article or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury. A deadly weapon is any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.

If carried, a concealed, dangerous or deadly weapon includes, per City Code Sec. 14C.30.040, a firearm, metal knuckles, straight razor, a weapon of the type commonly known as nunchaku, blackjack, sap or sap gloves, and any type of knife other than an ordinary pocket knife. When carried with the intent to use unlawfully against another, a dangerous or deadly weapon also includes any instrument or device capable of inflicting injury to the person or damage to the property of another.

A person wishing to surrender a dangerous or deadly weapon may do so according to the following conditions:

a. The weapon may be surrendered at any precinct or to any on-duty, sworn
member.
b. All pertinent information will be obtained from the person surrendering the weapon(s).
c. On the property/evidence receipt, a notation similar to the following will be made: “I (person surrendering weapon(s)), voluntarily surrender my (above described weapon(s)) for destruction, with the understanding that I knowingly forfeit any claim to the weapon(s).” The person surrendering the weapon(s) will sign and receive a copy of the receipt.

Weapons Held Temporarily for Safekeeping (1060.00)
Members will inform citizens wishing to turn in weapons for safekeeping that policy does not permit PED to be used as a storage facility. Members should suggest to the citizens the use of commercially available storage lockers.

In emergency circumstances, sworn members may take or accept a weapon for safekeeping for the protection of person or property.

Disposition and Disposal of Dangerous or Deadly Weapons (1060.00)
Release procedures are prescribed by City Code 14C.30.040.

Release to Owner (1060.00)
a. Found weapons are property found by police or citizens to be held for determination of ownership. Such weapons may be released to the owner if:
   1. Ownership has been determined.
   2. The weapons are not stolen or wanted.
   3. Law does not preclude the owner from possessing such weapons.
b. Confiscated weapons held for evidence may be released to the owner after it has been determined that:
   1. The weapon was not possessed, carried or used unlawfully by the owner.
   2. The member assigned the case has determined the weapon is no longer needed for evidence purposes.
   3. A release has been authorized by one of the following:
      a) The member assigned the case.
      b) By order from the DA.
      c) By order from the court having jurisdiction.
c. Ownership or right of possession will be determined by registration, valid receipt or bill of sale. If ownership cannot be determined, the claimant will be referred to the Circuit Court, per City Code 14C.30.040.
d. If the weapon is not claimed, it will be disposed of in accordance with City Code 14C.30.040 and/or ORS 166.280.
Disposal of Dangerous or Deadly Weapons (1060.00)

a. All dangerous or deadly weapons that are not claimed and were not disposed of in accordance with other City Code authorized options, and all weapons surrendered for destruction by an owner will be destroyed in accordance with ORS 166.280 and City Code 14C.30.040.

1. If the weapon is a firearm suitable for use by the Bureau, upon request of the Chief of Police, the firearm may be transferred to the Training Division (Training) Armory inventory (refer to DIR 1070.00 Firearms, for procedures).

2. Officially recognized historical societies may apply for and, subject to approval by the Chief of Police and City Council, arrange for the transfer of weapons with historical significance to that society.

b. All firearms designated for destruction will be inspected and inventoried by PED. The inventoried firearms will be placed in a locked and sealed container. The inventoried firearms will be destroyed in the presence of members of PED who will witness and certify to the physical destruction of the firearms.

c. An after action report will be prepared and submitted to the Branch chief by the PED manager. The report will include the number of firearms destroyed, the date of destruction, the names of members delivering the weapons for destruction, and destruction witness signatures.

d. Signed copies of the inventory lists of all firearms destroyed will be kept by PED.

Disposal of Ammunition (1060.00)

All ammunition will be removed from PED and destroyed by the Explosives Disposal Unit (EDU).

1070.00 FIREARMS CONFISCATION AND ACQUISITION

Index: Title; Firearms, Acquisitions of Confiscated; Firearms – Issuance; Weapons – Firearms, Confiscated

Refer: City Code 14C.30.040 Seizure and Disposition of Weapons

DIR 1060.00 Weapons Disposition and Disposal

PROCEDURE (1070.00)

The Training Division (Training) manager will prepare for the Chief of Police’s approval a written request for the transfer of specific confiscated weapons. All firearms transferred to the Bureau’s control under City Code 14C.30.040 will be taken to the Bureau’s Armory and will be inventoried and inspected annually. Weapons of historical value may be transferred in accordance with DIR 1060.00.

The Training manager is responsible for the reception, storage, issuance and
accountability of firearms owned by the Bureau. It will be the responsibility of the Training manager to maintain the position of Armorer.

The Armorer will:

a. Keep a current inventory of all Bureau weapons to include the manufacture, caliber, description, serial number and the responsible person or office.
b. Periodically examine confiscated weapons to ensure they meet operational requirements.
c. Issue requested weapons to each division or member by means of a hand receipt.

The Training manager will review annually the number and type of weapons in the Bureau inventory and, as necessary, dispose of unneeded weapons. When a weapon is no longer of use to a division, it will be returned to Training, who will either re-issue it or deliver it to the Property Evidence Division (PED) for destruction.

1090.00 SPECIAL WEAPONS USE

POLICY (1090.00)

It is the policy of the Bureau that members use only those weapons for which they are authorized through directives or Chief’s orders. The only members authorized to carry or use special weapons are members of SERT and RRT who have successfully completed, within the last 12 months, the special weapons qualified response courses as required by the SERT and RRT training policy.

The use of special weapons is governed by the Bureau’s use of physical and deadly force policies and procedures (refer to DIR 1010.10 Deadly Physical Force and 1010.20 Physical Force).

PROCEDURE (1090.00)

Directive Specific Definitions

Police action: Any circumstance, on duty or off duty, in which a sworn member exercises or attempts to exercise police authority.

Special weapons: Any weapons provided, or approved, by the Bureau and authorized to be used only by trained SERT and RRT members in a police action. Examples of special weapons include non-aerosol contained chemical agents (including CS gas), automatic weapons, rifles and other special tactical weapons and ammunition.
Responsibilities (1090.00)
The decision to activate or deactivate SERT in an emergency police action will only be made by the on-scene commander (refer to DIR 720.00).
The decision to deploy or use special weapons in an emergency police action will be made only by the SERT leader.
The decision to deploy chemical agents or special impact munitions in a crowd dispersal situation will be made by the Incident Supervisor (refer to DIR 635.10).
SERT and RRT will be responsible for developing and conducting annual special weapons response courses, and for establishing qualification and familiarization standards for their respective teams.
Training will be responsible for maintaining complete training records of participating members.

1110.00 APPEARANCE STANDARDS
Index: Title; Grooming Standards; Uniform and Equipment – Issuance and Replacement
Refer: DIR 210.90 Recognition and Awards
       DIR 317.40 Use of Bureau Equipment
       DIR 1120.05 Clothing Allowance for Plainclothes Assignments
       Uniform and Clothing Guide (Uniform Committee – Intranet)

POLICY (1110.00)
Members will wear the appropriate clothing or uniform, be properly equipped, well groomed and exhibit a professional appearance while performing their official duties. Professional appearance projects the image of an alert, responsive agency that takes pride in its work. Clothing and grooming will be appropriate for a business environment. Clothing, uniforms and equipment will be selected and authorized taking into consideration safety, versatility, durability, compatibility, appearance, and tradition. Only authorized uniforms and equipment will be worn.

PROCEDURE (1110.00)
Directive Specific Definitions
   Body art: Procedures used to alter the body’s appearance including, but not limited to, branding, scarification and tattoos.
   Branding: The act of burning the skin for the purpose of creating a design, form, figure or art.
   Piercing: The act of creating a hole in any part of the body for the purpose of inserting an object, jewelry or ornamentation.
   Scarification: The act of cutting the skin for the purpose of creating a design, form, figure or art.
Tattoo: The act of marking the skin with indelible designs, forms, figures, art, etc. by puncturing the skin and inserting pigment.

General Guidelines – Wearing of the Uniform (1110.00)

All members will wear and use only the uniforms, clothing and equipment issued by the Bureau and/or approved by the Chief of Police as described in this directive so as to support the policy described above. The uniform will be clean, neatly pressed, of proper fit and in good repair.

This directive addresses uniforms used Bureau wide by members. All members will refer to the Portland Police Bureau Uniform and Clothing guide, updated by the Uniform Committee, for specific descriptions of uniforms, equipment and instructions. Clothing, uniform, and equipment requirements for some specialty units and divisions are not addressed in this Directive.

Members will wear the prescribed uniform or civilian clothing as directed by their RU manager in division or unit SOP.

During official or special functions including, but not limited to parades, graduations, funerals, award ceremonies, formal balls and other events, the appropriate RU manager, Branch chief or Chief of Police will determine the specific uniform of the day.

Members in a uniform assignment through the rank of lieutenant will wear the full uniform unless otherwise authorized by their supervisor. Members above the rank of lieutenant in a uniform assignment are encouraged to wear the uniform.

Authorized Off-Duty Use (1110.00)

Off duty members will not wear a Bureau uniform, complete or in part, without prior consent of their RU manager. If authorized, the entire uniform of the day will be worn. However, the uniform may be worn to and from work if the route is direct and the member will not be involved in conducting personal business. If worn to and from work, it is permissible to wear a civilian jacket or raincoat in lieu of the uniform coat.

Authorized Uniform/Equipment Repair, Replacement and Return (1110.00)

Any unserviceable uniforms or equipment will be replaced. Only RU managers or their designee may authorize replacement of uniforms or equipment. The item to be replaced must be inspected by the person so designated by the RU manager in order to receive a purchase authorization. A purchase authorization (PPB Uniform Order form) is required from members for new uniform and equipment items. The purchase authorization must be presented to the vendor within seven days (in person, by FAX, or electronically) after it is issued. Members will sign for only those items they receive from the vendor.

Complaints about vendor service, material availability or defective items should be made by memorandum through channels to the Operations Branch chief with
a copy to the Services Branch chief. The date, time and names of the affected employees, along with the recommended solutions, will be included in the memorandum.

Fitting (1110.00)

a. All-weather jackets and dress jackets will be fitted with the member wearing the body armor and full duty belt.

b. Neck and sleeve length are to be correct for body proportions while wearing body armor. Shirt side tapering will only be altered at city expense when the body is of such proportion that excessive material causes the shirt to fit poorly. Any other tapering will be at the officer’s expense.

c. Sworn female members may choose between male or female patterns. If there are tailoring problems that the uniform distributor cannot resolve, the RU manager or designee may approve additional alterations.

d. Sworn members will not accept items from a uniform vendor until all items have been tried on for condition, proper size, fit and tailoring.

Body Armor (1110.00)

Members through the rank of Lieutenant wearing a uniform in a uniform patrol assignment (i.e., precincts including SROs, Traffic, Transit, TOD) will wear body armor, unless authorized by an RU manager. Body armor is not required when members are wearing the Formal Uniform, a version of the Commanding Officers Uniform, or when authorized by the RU manager.

Supervisors are responsible for designating when members in a non-uniform assignment will wear body armor. Some examples to be considered are:

a. Operations deemed hazardous by a supervisor, (i.e., DVD raid, high-risk arrest, investigations at major crime scenes when a threat exists, etc.).

b. Directed by a supervisor to wear body armor.

c. Required by written directive (i.e., the range).

The Bureau recognizes that some sworn members may have physical conditions restricting their ability to wear body armor. Any member claiming a medical restriction will obtain a detailed written justification from a medical doctor that describes the physical condition and how that condition prevents the wearing of body armor. The justification will be forwarded, through channels, to the Services Branch chief for final determination. The Bureau retains the right to require an independent medical evaluation (at Bureau expense) to verify the determination that body armor cannot be worn. Such medical information will be maintained in a separate, confidential file.

The Bureau may attempt to provide an alternative assignment on a temporary basis to members with a bona fide medical restriction by giving that member an assignment that does not require wearing body armor. The Bureau will consider purchasing alternative body armor in order to address bona fide medical restrictions.
POLICY AND PROCEDURE

on a case by case basis.

Because body armor has a limited manufacturer’s warranty, body armor shall be inspected for fit and wear each year and replaced every five years. The serial number will be added to the member’s individual personnel information.

Body armor beyond the manufacturer’s warranty will be turned in to a designated member within the division/precinct for final disposition or disposal.

Issuance/Return of Badges (1110.00)

Only sworn members, honorably retired sworn members and persons designated by the Chief of Police or designee will be issued, allowed to purchase, or given a Bureau badge. Badges issued to members will be returned upon promotion, demotion, retirement, resignation, termination or at the request of a designated representative of the Chief of Police.

The Personnel Division (Personnel) will maintain an inventory that will be exchanged or loaned to members when their badges are being repaired.

Personnel will distribute one set of badges (uniform and cap) to sworn members upon employment, promotion or demotion. They will collect any issued badges from members on retirement, suspension, termination, resignation or other separation from City employment and forward to Fiscal.

Sworn members may purchase one additional badge set for the rank or position they currently hold or have held during their employment.

Cap and uniform badges issued to members will be titled with the member’s rank. Retirement badges will be inscribed on the back with the member’s dates of service and promotion(s), if applicable.

Presentation of badges to law enforcement dignitaries, ordering special badges for acrylic embedment, and other special situations will require the approval of the Chief of Police or designee.

Pins (1110.00)

Members are encouraged to display pins that are designed for wear with the uniform.

Authorized pins are:

a. American flag.
b. TriMet Pin (for duration of assignment to Transit Police Division).
c. City of Portland Years of Service.
d. Portland Police Association (PPA).
e. Gang Resistance Education and Training (GREAT).
f. Crisis Intervention Team (CIT).
g. Field Training Officer (FTO).
h. Motorcycle Pin.
i. Police Memorial Pin.
j. Special Emergency Reaction Team (SERT) Pin.
Authorized pins will be worn on the right pocket flap of the shirt. The Rose Festival Pin is authorized the week preceding and the week of Rose Festival.

Members attending special community events are authorized to wear pins, buttons, or ribbons denoting that event. These items may not be for a political candidate or ballot measure.

**Mourning Bands (1110.00)**

Members are authorized to wear black mourning bands in honor of Bureau members or law enforcement personnel who have died in the line of duty. Mourning bands may also be authorized during Law Enforcement Memorial week. The Chief of Police will authorize the period they can be worn.

**Patches (1110.00)**

Only authorized patches are to be worn by members. Generally, only Bureau patches are worn on the shoulders of the uniform items. Exceptions must be approved by the Chief of Police.

**Awards (1110.00)**

Members are encouraged to display ribbons and medals (full size and miniature) designed for wear with the uniform in recognition of acts of valor, outstanding service, or unit recognition.

Refer to the Uniform and Clothing Guide for details.

The Uniform Committee will determine (on an individual basis) where members will wear awards that they have received from outside agencies.

**Professional Appearance Standards (1110.00)**

**Sworn Hairstyle and Grooming Standards**

a. All sworn members will keep their hair clean, neatly trimmed and combed.

b. Dyed, tinted or bleached hair must be within a naturally occurring color range and must be professional in appearance. For purposes of this order, naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.

c. Hair must be styled in such a manner so that it does not interfere with uniform headgear or any specialized equipment and will not interfere with officer safety and effectiveness.

d. Non-uniform, sworn members may be temporarily excused from these hair and grooming regulations while on undercover assignment. However, such members will again comply with these regulations once the special assignment is completed or whenever wearing the official uniform.
Specific Sworn Male Standards (1110.00)
Facial hair may not be more than ¼ inch in length, and must not interfere with the natural seal of the issued gas mask.
   a. Mustaches and goatees are allowed. Beards are not allowed. Mustaches must be kept neatly trimmed and will not exceed the upper border of the lip or extend more than 1/4 inch horizontally beyond the corners of the mouth.
   b. Mustaches and goatees must follow the natural arch of the mouth.
   c. Handlebar mustaches are prohibited.
   d. Goatees may not extend more than ¼ inch below the bottom of the chin.
   e. Sideburns may not extend below the lower opening of the ear and must end with a clean horizontal line, not flared out at the bottom.
   f. A man’s hair will be cut so as not to extend below the lower edge of the collar. Additionally, a man’s hair will not extend over the top of the ears.
   g. The Bureau will consider and may approve accommodations to this standard on a case by case basis. Such accommodations may be appropriate only in cases where the member demonstrates a religious or medical need for accommodation. In such instances, the member should bring the need for accommodation to the Bureau’s attention through the chain of command to the Chief of Police.

Specific Sworn Female Standards (1110.00)
   a. Hair will be neatly trimmed, shaped and in a style that permits wearing of the uniform cap or hat or other department emergency equipment.
   b. If hair is longer than collar length, it must be pulled back and cannot extend below the top of the shoulder blades.
   c. The Bureau will consider and may approve accommodations to this standard on a case by case basis. Such accommodations may be appropriate only in cases where the member demonstrates a religious or medical need for accommodation. In such instances, the member should bring the need for accommodation to the Bureau’s attention through the chain of command to the Chief of Police.

Non-Sworn, Male and Female Hairstyle and Grooming Standards (1110.00)
   a. All non-sworn members will keep their hair clean, neatly trimmed and combed. Hair must be styled in such a manner as to not interfere with the duties assigned within their respective division. Final determination will be at the discretion of the RU manager.
   b. Dyed, tinted or bleached hair must be within a naturally occurring color range, and be professional on appearance. For purposes of this order,
naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.
c. Hair must be styled in such a manner so that it does not interfere with any specialized equipment and will not interfere with member safety and effectiveness.
d. Mustaches and beards are allowed. They must be kept neatly trimmed.

Non-Sworn Male and Female Clothing Standards (1110.00)
Bureau approved uniforms are permitted as outlined by the assigned RU manager.

Jewelry (1110.00)
All members may wear jewelry that is clean, neat and of a style that presents a professional appearance, is not offensive to others, and is consistent with the type of assignment and duty performed.

Standards for wearing jewelry:
   a. No ring will be worn so that it interferes with the use of equipment or hinders the use of the hand and fingers.
   b. Sworn members, while in uniform, may wear one watch, one bracelet, and a necklace that is not visible.
   c. No more than two rings may be worn.
   d. One earring stud per natural earlobe is allowed. Plugs (used to enlarge piercing holes in the ear lobes) are prohibited.
   e. No tongue studs or visible body piercing (other than the listed earring stud), will be worn.

RU managers or designee may grant an exception to members where deviation from this policy is appropriate for a specific assignment.

Body Art (1110.00)
Visible body art on the face and neck is prohibited, except for reasonable cosmetic purposes. Members with visible tattoos prior to August 1, 2000 are exempt from this provision. Members will not expose any offensive forms of body art while on duty. Offensive forms of body art include images which are sexually explicit, racially and/or sexually biased or could be viewed as discriminatory in nature.

For the purposes of this directive, body art is defined as procedures used to alter the body’s appearance including, but not limited to, branding, scarification and tattoos.

Non-Sworn and Sworn, Non-Uniformed Assignment, Dress Code (1110.00)
Refer to the Uniform and Clothing Guide posted to the Intranet.
Court Attire (1110.00)
For all court appearances, including Traffic Court, Circuit Court, Federal Court, Grand Jury, preliminary hearings, depositions and any other appearance in a judicial setting, members will, without exception, appear in one of the attires listed below:
   a. Uniform of the day or Class A uniform.
   b. Professional business attire (generally duty weapons should remain concealed).

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (1110.00)
Uniform Committee
The Uniform Committee will continually review the clothing, uniform and equipment requirements of the Police Bureau. This will be done by making recommendations on uniforms and equipment, overseeing uniform/equipment contracts, resolving member complaints, ensuring process quality control and coordinating with the Safety Committee on mutual issues.

The Uniform Committee will be comprised of members from the Chief of Police’s Office and from Operations, Investigations, and Services Branches. This should include a representative from each precinct, Transit Police, Traffic Division, TOD, School Police, Detective Division and the Training Division. The committee will include at least one non-sworn member. The committee will normally meet on a monthly basis. Items for committee consideration can be sent directly to any committee member.

The aide to the Operations Branch chief will serve as the liaison to the uniform committee.

Bureau Members (1110.00)
Bureau members will:
   a. Sworn members will maintain at least one complete serviceable Class C, Class B and class A uniform. Non sworn members, if issued uniforms, will maintain at least two complete serviceable sets of uniforms.
   b. Be responsible for their uniforms and equipment (refer to DIR 317.40 for specifics). They are also responsible for keeping their uniforms and equipment clean and in good repair. This would include minor repairs, including buttons, small tears, etc.
   c. Not sign for any uniform or equipment unless it has been delivered to the member.
   d. Inform their supervisor when a uniform is defective or worn out or equipment items need replacement or repair.
   e. Return uniforms and equipment in good condition within the specified time frame or as required by the Bureau or supervisor’s instructions.
   f. Return all Bureau uniforms and equipment upon separation from the
Bureau.
g. Refer any recommendation for uniforms or equipment to the uniform committee.
h. Upon status change, turn in unneeded uniforms and equipment and ensure they are issued appropriate uniforms and equipment for their new status.
i. Detectives and Criminalists will maintain at least one complete and serviceable Class C Uniform.
j. Commanding officers will maintain at least one complete serviceable Class C, Class B, Class B Commanding Officer Summer Uniform, Class A, Commanding Officer Summer Dress Uniform, and Commanding Officer Dress Uniform.

Command Staff and Supervisors (1110.00)
a. May exempt a member from wearing the uniform for the duration of a specific assignment if civilian clothing would be more appropriate. RU managers and supervisors will ensure their members conform to the uniform and equipment requirements.
b. Will maintain a requisition and tracking mechanism, including payment to vendors. Requests for replacement of worn or unserviceable uniforms or equipment will be made to the RU manager or designee. Copies of the uniform order form will be retained pending verification of the order. Careful inspection will be made for negligence or intentional misuse.
c. Inspect members to ensure all uniforms and equipment are serviceable and authorized and that the body armor is less than five years old.
d. Publish division Standard Operating Procedures (SOP) that defines what their members will routinely wear in the workplace.
e. In situations where duty assignments require deviations from this directive, RU managers may authorize variances. The approval of such variances will be kept to a minimum.
f. RU managers or their designees have the responsibility to recommend to the Chief of Police uniforms and equipment appropriate for their specific assignment and mission.

Branch Chiefs (1110.00)
a. Recommend approval of specialty uniforms and equipment after review by the uniform committee and Chief of Police.
b. Review the uniform and equipment procurement system.
c. Review proposals from the Uniform Committee and forward with a recommendation to the Chief of Police.
POLICY AND PROCEDURE

Personnel Division (1110.00)
   a. When notified that a member will be leaving the Bureau, Personnel will have the member complete a notice of separation and will provide the member with a separation checklist. Personnel will notify the Services Branch chief if the member fails to complete the checkout.
   b. Coordinate with Fiscal to ensure appropriate badges are available.

Fiscal Services Division (1110.00)
   a. Maintain status and assignment records to ensure policy compliance and be responsible for the destruction, maintenance, inventory, distribution, sales and ordering of badges.
   b. Process payments to vendors.

Training Division (1110.00)
   a. Coordinate with Personnel for the initial issue of uniforms and equipment when new sworn members are hired.
   b. Verify the turn-in of specified uniforms and equipment when a member leaves City employment.
   c. Recommend equipment to be worn/carried by sworn members. Any disagreements regarding equipment should be referred to the Services Branch chief.

1111.00 IDENTIFICATION CARDS
Index: Title
Refer: DIR 1110.00 Appearance Standards

POLICY (1111.00)
   Members will carry a valid Police Identification (Bureau I.D.) card when on duty. Sworn members will also carry their badge, except that with permission of their commanding officer, members working special assignments may be excused from carrying and/or wearing their Bureau I.D. card and badge, if it could jeopardize their covert status.

PROCEDURE (1111.00)
   The Forensic Evidence Division (Forensics) will be responsible for the issuance of all Bureau I.D. cards. They will also ensure that upon issuance of a replacement card, the old card is surrendered and destroyed. The Personnel Division (Personnel) will assist new employees in obtaining a card, and will retrieve cards upon termination, retirement, etc.
   Members being placed on extended disability, or on LOS with the expectation that the member will not return to duty before being placed on extended disability,
must turn in their Bureau I.D. card along with their uniforms and equipment (refer to DIR 1110.00).

New sworn members will wear a uniform provided by I.D., without the cap, when photographed for a Bureau I.D. card. Sworn members will wear attire appropriate to their assignment, without cap or hat, when photographed for a Bureau I.D. card.

Non-uniform members will display the Bureau I.D. card clipped to their outer garment, on the left side of the chest, or on a lanyard, under the following circumstances:

a. At major crime or police incident scenes, unless otherwise directed by the officer in charge of the operation.

b. When the RU manager directs that members assigned to their command, or visiting members entering the facility under their command.

c. As directed by the Chief of Police.

RU managers, during quarterly inspections, will inspect Bureau I.D. cards to ensure that they are current and the information is up-to-date.

**Unofficial Display (1111.00)**

Members will not display their Bureau I.D. card on an outer garment while off duty or engaged in non-police activities.

**Expiration/Change in Status (1111.00)**

Upon issue, a Bureau I.D. card will be valid for four (4) years.

When possible, members will schedule an appointment in Forensics, within one week of card expiration, to have a photograph taken, and a new card issued. Members will obtain their new cards during working hours and no overtime is authorized.

Members shall obtain new Bureau I.D. cards within 90 days after transfer to any non-uniform assignment that may cause them to substantially alter their appearance (i.e., Drugs and Vice Division). Members leaving such assignments shall obtain new Bureau I.D. cards within 15 days after transferring to a uniform assignment or any other assignment requiring compliance to grooming standards.

It will also be the responsibility of members to obtain a new Bureau I.D. card within 15 days of a change in their name, rank or classification.

**1120.05 CLOTHING ALLOWANCE FOR PLAINCLOTHES ASSIGNMENTS**

Index: Title

Refer: City Code, Sec. 3.20.170
       City Code, Sec. 5.08.070
       Bargaining Agreement (City and Portland Police Association)
       DIR 1110.00 Appearance Standards
POLICY (1120.05)

Sworn members are eligible to receive an annual clothing allowance, if they are officially assigned to a function designated by the Chief of Police as a plainclothes assignment. A clothing allowance is payment dispensed annually to sworn members who are expected to routinely wear plainclothes while performing their duties.

Members authorized by the Chief of Police to receive the allowance, as specified under the current bargaining agreement and Finance Code Sec. 5.08.070, will receive the full amount if they worked a plainclothes assignment for the entire fiscal year. A member assigned less than a full fiscal year will receive a prorated amount for the number of full calendar months worked. The clothing allowance will be disbursed in August based on the number of months worked in a designated assignment during the prior fiscal year.

RU managers may authorize members in uniform assignments to work in plainclothes as appropriate and consistent with the primary uniform mission. Members working in plainclothes under this exception are not eligible for clothing allowance and will continue to receive the equipment allowance.

1210.00 BUILDING MAINTENANCE, JOB REQUESTS
Index:  Title; Job Order Requests; Maintenance, Building; Repairs, Building

PROCEDURE (1210.00)

Emergency Requests

Emergency requests relate to an immediate threat to public or employee safety, building security, or vital to continued unit operations. All emergency service needs will be handled by telephoning Facilities.

Major Requests (1210.00)

A major request is a non-emergency request related to new projects usually not associated with maintenance. This would include new construction, alterations, improvements, moves, etc. Requests of this nature require an inter-office memorandum describing the nature of the request and are initialed by the RU manager. The memo will include the requesting person’s name and phone number plus the center code for billing purposes. Forward the memo through channels to Facilities.

Minor Requests (1210.00)

A minor request is a non-emergency request related to the maintenance or repair of existing facilities and systems. This would include a leaky faucet, janitorial service problems, repair of damage, etc. Requests of this nature will be made to Facilities. RU managers will designate one person in their command to coordinate and clarify maintenance needs with Facilities.
1220.00 COMMUNICATION EQUIPMENT

Index: Title
Refer: Request for Repair Form (Facilities)
       Request for Service Form (Facilities)

PROCEDURE (1220.00)

This directive does not apply to situations where a separate maintenance contract
exists.

Bureau of Electronic Services (BOES) (1220.00)

Normal requests for the repair of mobile or portable police radio equipment will
be made directly to BOES. Members will complete a Request for Repair form, use
the city inventory number to identify the pack set, fully describe the problem and
attach the form to the pack set.

All non-routine requests for communications research studies, requests for cost
estimates, equipment purchases or new/changed telephone services to be provided
by BOES must be described on the Request for Service form. These must be ap-
proved by the RU manager and forwarded with a cover memo through channels to
Facilities. If the request is approved, the Communications Coordinator will forward
the request to BOES. If the request is denied, the RU manager will be informed of
this decision.

Bureau of Emergency Communications (BOEC) (1220.00)

All non-routine requests to BOEC for data not readily retrievable from the
Computer-Aided Dispatch (CAD) system, and requests for cost estimates must be
approved by the RU manager and forwarded to Facilities. If the request is approved,
the request will be forwarded to BOEC. If the request is denied, the RU manager
will be informed of the decision through channels.

1225.00 COMMUNICATION TECHNOLOGY

Index: Title; Cellular Phones; Communications Equipment; Copy Machines;
       Fax (Facsimile) Machines; Land Line; MDCs (Mobile Data Comput-
er); Pack Sets; Pagers; Portable Radios; Telephones; WATTS Line;
       Word Processing Equipment
Refer: DIR 612.00 Radio Calls for Service
       DIR 1220.00 Request for Service
       DIR 1250.00 Equipment Responsibilities
       Request for Repair Form (Facilities)
       Guidelines and Fee Schedule for personal use of a fax (Records)
POLICY (1225.00)

Members will take steps to ensure their use of communication equipment is made in a professional, effective and efficient manner. Cellular phones are to be used when no other communication device is available (i.e., land line, radio, pager). The Bureau will conduct random audits, in conjunction with quarterly inspections, of cellular phone and long distance billings to ensure full compliance with this policy. Nothing in this directive shall be construed as limiting member contact with citizens whom they serve.

PROCEDURE (1225.00)

Cellular Telephones

a. Member Responsibilities.

1. Every member is responsible for cellular phone activity while the equipment is assigned/logged to him/her personally or to his/her vehicle. The cellular phone’s lock code may be used to disable the use of the phone. Every call made from or received by a cell phone carries with it a specific charge by the minute, including calls to directory assistance (4-1-1). Every phone has a printed history of each call identifying every call made from or received by a cellular phone, including date, time and number called or received. Every RU is billed according to each cellular phone’s history.

2. All cellular phones must receive a center code and be approved by the RU manager/or designee before they are activated.

3. Members are assigned cellular phones with individual numbers and will be held accountable for its care and use.

4. Incidents of lost or damaged phones may result in an investigation into the care given to the phone by the assigned member.

5. Confidentiality: Cellular telephones operate through radio transmission and therefore are susceptible to monitoring by the public. Transmittal of sensitive information must be weighed against the need for expediency. Members will use good judgment when giving out cellular phone numbers to the public. Giving out cellular phone numbers to handle calls-for-service bypasses 9-1-1 and results in the loss of call history, tracking and logging of calls to members. Members who receive a call for service via their cellular phone will notify BOEC for CAD entry of the call to ensure proper documentation of call history.

6. Personal use:

 a) Members are not expected to answer their cellular phones while off-duty, unless serving in an on-call assignment. The Bureau expects that members will return voice messages after returning to work as soon as practical. Members who use their phones while
off duty, for business purposes, will not be compensated for time spent on the phone, except as provided for in current collective bargaining agreements.

b) Members who are traveling out of town on Bureau business, at the discretion of their RU manager, may take their cellular phone to conduct business.

c) Cellular phone use is restricted to Bureau business. Personal cellular calls will be allowed only in limited instances of family emergencies (i.e., illness/injury, child care issues, family transportation crisis requiring immediate attention, or when a member needs to make a brief personal phone call to inform someone about an unexpected or unanticipated change in schedule due to demands of the job).

d) Members will reimburse the City for personal calls, regardless of circumstances prompting the call, plus 4% on a quarterly basis. Facilities will establish a charge per minute based on industry standards. Checks will be made out to the City of Portland and forwarded to Fiscal Services Division (Fiscal).

7. Defective phones: Notify RU manager and/or designee and submit request for replacement phones to the communication coordinator in Facilities.

b. RU Manager Responsibilities.

1. Coordinate cellular phone use within his/her individual RU budgets.

2. Review RU cellular phone bills quarterly for compliance to this directive.

3. Authorize purchase of cellular phones via Facilities.

4. Order activation and deactivation through Facilities.

5. Devise a system for logging/assigning cellular phones to his/her members.

6. Establish RU SOP on personal use of cellular phones within his/her RU. When so authorized, the RU manager is responsible for ensuring all members, within his/her RU, are accountable for the established procedures and for obtaining reimbursement promptly upon receiving his/her RU phone bill from the Services Branch.

c. Communication Coordinator Responsibilities (Facilities).

1. Issue center codes for all cellular phones.

2. Keep an up-to-date inventory of phones.

3. Ensure that all cellular phone statements are issued to the appropriate RUs in a timely fashion.

4. Notify Bureau of General Services to activate or deactivate a cellular phone.

5. Provide guidance, when requested by RU managers, with auditing
RU phone bills for compliance to this directive and devising a billing schedule and procedure for personal use of cellular phones.
6. Maintain cellular phone statements for five years.

d. Temporary Replacement for BOEC: If an internal disaster were to hit the Bureau’s radio system, the contracted cell phone company is assumed to have the capacity to accommodate all Bureau cell phones.

Land Line Phones (1225.00)

   a. Member Responsibilities.
      1. Non-toll: Use of landline phones for local, non-toll personal calls is authorized as long as it is reasonable and kept to a minimum.
      2. Long distance: Members will not make personal long distance phone calls, unless they use their personal long distance card.

   b. RU Manager Responsibilities.
      1. Periodically audit phone bills for compliance to this directive. Facilities can provide guidance.
      2. Develop an SOP that ensures long distance phone calls are for official business.
      3. To activate landline phones, contact Facilities.

WATTS Line (1225.00)

   a. Each precinct has a WATTS line for incoming calls. This is an 800 number, which members can call without direct charge. The member can be transferred from the WATTS line, by the precinct desk clerk, to another number.

   b. Members will use the WATTS line for police business only. WATTS lines are not to be used by off-duty members for personal calls, as a connecting line to avoid long distance charges. To obtain the WATTS number for your precinct, contact the precinct desk clerk.

FAX (facsimile) Machines and Copy Machines (1225.00)

Members may make reasonable personal use of copy machines and other word processing equipment, provided that the usage is legal, reasonable and does not interfere or conflict with the member’s scope of work or Bureau operations. Members will comply with Bureau guidelines and fee schedule for personal use of the fax machines.

Pagers (1225.00)

   a. Member Responsibilities.
      1. Pagers must receive a center code before use. Members will notify their RU manager and receive a center code before using a pager, even if billing is paid for by an outside source.
2. Members who transfer to another RU must obtain a written memo authorizing the pager to be added to the new RU’s billing center code. The memo will be sent to Facilities to transfer the billing center code.

3. If a member no longer needs a pager, turn it in to Facilities and the center code will be canceled.

4. Some pagers have special call-up codes. Members in units such as SERT, EDU or EOC who plan to keep their pager and who transfer to RUs or assignments no longer requiring special call-up codes must contact ComNet to change the call-up code.

5. Defective pagers: Notify RU manager and submit request for replacement pager to the communications coordinator in Facilities.

b. RU Manager Responsibilities.
   1. Coordinate pager use within their individual RU budgets; this includes donated pagers.
   2. Authorize purchase of pagers through Facilities.
   3. Devise a system for logging/assigning pagers to their members.
   4. Ensure Facilities is notified when pagers are transferred with a member to another RU to effect billing changes.
   5. At times, pagers are loaned out to citizens, divisions and members, (i.e., political events, demonstrations, etc.). It is the responsibility of the RU manager who holds the center codes for such pagers to devise a system for logging/assigning this equipment to persons outside their RU. Billing adjustments can be made later based upon the efficiency of the log and assignment record keeping.

c. Communication Coordinator Responsibilities.
   1. Issue center codes for all pagers.
   2. Keep an up-to-date inventory of pagers.

Portable Radios (1225.00)

When a repair is needed on a portable radio or pack set, RUs will fill out the Request for Repair form describing the problem, including the City inventory number to identify the pack set. Attach form to the pack set and deliver to radio repair shop at BOEC.
1226.00 COMPUTER TECHNOLOGY

Index: Title; Communications; DMV; E-mail; Internet; Laptops; LEDS; MDCs (Mobile Data Computers); NCIC; Network; PPDS; Public Records; Software

Refer: ORS 192.005 Public Record, defined
ORS 192.410 Inspection of Public Records
ORS 244.040 Code of Ethics; Prohibited Actions; Honoraria
City Code 1.03.030 Code of Ethics
City Code 3.76 Public Records
City of Portland Information Technologies Administrative Rules (available at www.portlandonline.com)
Non-Disclosure Agreement (Personnel)
Access Request for PPDS (ITD)

POLICY (1226.00)
All computer applications, programs and information created or stored by members on City owned information systems are City property and may be subject to the Public Records law. The Information Technology Division (ITD) will maintain a disposition policy for all related public records in conjunction with the City Auditor’s Office.

Hardware and Software (1226.00)

a. Privately owned computers and software are restricted to individual support functions only (i.e., calendar, notebook, log); exceptions must be approved by the member’s RU manager.

b. Acquisitions.
   1. All acquisitions shall be coordinated with ITD. Computer purchases will be charged to the RU’s budget.
   2. All software will be delivered to ITD who will ensure that registration and inventory requirements are met.

c. ITD will conduct scheduled and unscheduled audits of computers, including portables, to ensure compliance with laws, licenses, policy and procedures.

d. Software.
   1. ITD will register software in the name of the Bureau and the RU and will maintain a register of all licenses.
   2. Members will respect copyrights and comply with licenses issued to the Bureau.
   3. Members may not download or install any software. Unlicensed or copied software is prohibited on any city computer.
   4. Original software media and backups will be kept by ITD.
   5. Bureau software will not be taken home and/or loaded on a member’s
PC. If a member needs to use software in any non-Bureau owned computer, ITD will be consulted to see if licenses allow for home use.

**Internet Access and E-mail (1226.00)**

Use of the City’s computers and network resources is for official City business only. RU managers may authorize exceptions for occasional, brief, important and non-toll personal communication, and as long as it is on the member’s own time (i.e., during breaks, lunch and before and after work). Members will have no expectation of personal privacy in the use of the City’s technologies. The City and Bureau will monitor members’ use of the Internet to include e-mail, web site visits, other computer transmissions, and stored information, created or received by members. Misuse of Bureau/City e-mail and Internet resources may result in discipline up to and including termination, financial restitution and/or civil or criminal prosecution. The City cannot entirely protect members from receiving e-mail they may find offensive.

Members will ensure:

a. Viruses are reported to ITD and their supervisors immediately.
b. That all Bureau broadcast messages are approved by an RU manager and that all city-wide messages are approved by the Chief of Police.
c. That all their messages are professional. Members will report unprofessional messages or offensive messages to their supervisors.

Members will not:

a. Transmit confidential documents via e-mail.
b. Deliberately transmit computer viruses.
c. Render the City’s computer and services unusable or interfere with another member’s use of Internet technologies.
d. Participate in or forward chain letters.
e. Use the City’s computers, network resources, or e-mail system for commercial or political endorsements, or to support or oppose political candidates or ballot propositions.
f. Use the City’s computers, network resources, or e-mail system for commercial activities, religious causes, charitable solicitations or to support activities which are not work related.
g. Access or transmit, for non-job related reasons, information that conflicts with City policies such as non-discrimination. This would include for example, racist or sexually explicit information.
h. Post fictional information, misrepresent or conceal their identity, or forward anonymous e-mail.
i. Use the City’s resources for personal use to buy, sell or trade goods or services; or to avoid the expense of personally purchasing comparable hardware, software, and/or Internet access.
j. Access streaming audio or video or any other bandwidth intensive activities for non-work related use.
k. Use Instant Messenger or other “chat” software for non-work related purposes.
l. Transmit large documents (10MB) or documents with extensive graphics as part of an e-mail.
m. Allow unauthorized use of the City’s resources by any person or organization outside the Bureau.

Intranet (1226.00)
The Portland Police Bureau Intranet is for internal use only. Content shall not be released without the consent of the responsible RU Manager.

PPDS (1226.00)
PPDS is the Portland Police Bureau records management system. LEDS, NCIC/III, DMV, DA-Crimes, ESWIS and OJIN are other agency systems accessed through PPDS. Information obtained from these resources will be used for criminal justice purposes only.

PPDS implementation and use follows the same FBI Criminal Justice Information Services (CJIS) as the Oregon State Police Law Enforcement Data System (LEDS). The Bureau has adopted the CJIS security policy for PPDS and related systems and information.

a. Password Use and Selection.
1. Members will choose a password according to ITD’s procedures.
2. If a member suspects that his/her password is known to another person, he/she will change it immediately.

b. Unauthorized Disclosures.
1. All members and volunteers will sign a Non-Disclosure Agreement. The original form will be forwarded to the Personnel Division for inclusion in their 201 file.
2. Access to information made out of personal curiosity is prohibited.
3. If the computer is to be left unattended, the member must log off the computer or place the computer in a mode that prevents unauthorized access. Members will not reveal their log on credentials to any other person or operate a computer under another member’s credentials.
4. Private persons involved as complainants or as an arresting person will not receive information regarding a suspect’s prior arrest record.

c. Release of Information.
1. Individuals (or their designated attorneys) wanting to challenge or correct their PPDS record will be referred to the Records Division.
2. Individuals wanting access to their state criminal history record will
be referred to the Oregon State Police Identification Bureau (see the Problem Solving Resource Guide for their number).

3. Information may not be released to private security agencies, except for limited inquiries within the following guidelines:
   a) Verification of Caller: The person calling with the request will identify him/herself by name, security agency, and phone number. If doubt exists as to the authenticity of the caller, the member will confirm the phone number and call the specified agency, verifying the caller’s authority. If the person calling is checking on the stolen status of a vehicle, the exact location of the vehicle will be ascertained before any information is released.
   b) Warrant Information: Members will run a computer inquiry when a private security agency requests a warrant check on a person they are holding. If an arrest warrant exists, the agency will be advised and a member will be dispatched to investigate. If the warrant indicates that the person may be dangerous, the agency will be advised of the danger so as to take the appropriate precautions pending the member’s arrival. The content of the warrant and criminal histories may not be disclosed.
   c) Vehicle Inquiries: Members will run a computer inquiry when a private security agency requests an inquiry on a suspicious vehicle. If the vehicle is stolen, the agency will be told and a member will be dispatched to investigate. If the information indicates that the vehicle may contain a dangerous person, the agency will be advised of the danger. Vehicle registration requests will be referred to the appropriate DMV.

4. The license plate number and other descriptive information about a vehicle involved in a collision may be released to persons involved in traffic collisions in order to comply with ORS required exchange of information and reporting requirements. DMV information is never released to members of the public.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (1226.00)

The ITD manager will ensure the review and monitoring of Internet, Intranet and e-mail use within the Bureau and conduct audits of computer technologies. RU managers will establish appropriate Internet, Intranet and e-mail policy for their unit and ensure quarterly reviews of this directive and related SOPs with their members.
1230.20 PARKING OF BUREAU VEHICLES

PROCEDURE (1230.20)

For purposes of this directive, all Bureau owned, marked, unmarked, staff or utility vehicle are considered E-plated and subject to the parking ordinance.

Members will not park Bureau vehicles adjacent to the Elk Fountain on SW Main, 3rd to 4th. Violators will be towed. The Police Only parking zones adjacent to the Multnomah County Courthouse are for marked patrol units only.

Drivers of marked and unmarked units assigned to the Justice Center are to use assigned parking spaces when attending court and when conducting business at City Hall, the Portland Building and the Justice Center. Vehicles with assigned spaces at the SW 1st and Jefferson garage will not use on-street parking around the courthouse nor on SW 2nd, Jefferson to Madison. The marked spaces in the basement of 1st and Jefferson are for police vehicles only. Any private cars parked in these spaces will be towed.

Employees driving a vehicle that receives a citation as a result of a violation of the No Government Vehicle zones are responsible for paying those citations and may be subject to disciplinary action.

1245.00 VEHICLES, OFF-DUTY USE BY AUTHORIZED MEMBERS

POLICY (1245.00)

The Portland Police Bureau prohibits the personal use of city owned vehicles. Personal, recreational, or vacation use is prohibited. However, a minimal amount of personal use of the vehicle incident to work, or as a result of being subject to call-back, is allowable. Limited exceptions are granted only as outlined in this policy.

PROCEDURE (1245.00)

Directive Specific Definitions

Authorized member: A member who is authorized by the Chief of Police to drive
a city owned vehicle in accordance with the criteria established in this directive.

Immediate response: Members with the responsibility to respond to an emergency occurrence, when needed, based on his/her assignment.

Off duty: The status of a member when he/she is free from specified assigned duties and not on a pay status.

Police related activities: Any functions attended by a member in an official capacity or as a part of normal duties.

Qualified non-personal use vehicle:
  a. A marked city vehicle that Bureau policy requires to be used for commuting. No other personal use of a marked vehicle is authorized.
  b. An unmarked city vehicle that Bureau policy authorizes personal use for so long as it is pursuant to law enforcement functions. Using an unmarked vehicle for vacation or recreation trips is not authorized.

Vehicle rental: A monthly vehicle rental fee paid to the City Treasurer by those members authorized by the Chief of Police to drive a city vehicle to and from work, and for other limited activities.

**Authorized Members (1245.00)**

Authorized members may use a city owned vehicle to drive to and from work and for other police-related activities. Members who are subject to call back must remain within a 35 mile radius from their reporting unit. Members will not use an unmarked city owned vehicle for recreation or vacation trips.

Authorized members, attending functions where intoxicants are served, will not consume intoxicants to the extent that their driving capability is impaired.

A member who is off duty and subject to call back shall notify his/her supervisor if he/she has consumed any alcohol prior to his/her call back. The supervisor will evaluate the member and determine if he/she is fit for duty.

A city vehicle will not be loaned to, or driven by, family members or friends. The vehicle may only be driven by another city employee with the permission of the authorized member.

Vehicles assigned to authorized members are a part of the Bureau fleet. These vehicles are to be made available to members within his/her division of assignment when there is a shortage of vehicles and the authorized member is not using the vehicle.

Authorized members will assist each other by loaning available vehicles for emergencies, or when the lack of an available vehicle would result in a loss of members-hours and/or poor service to the public.

An authorized member will park and leave his/her city vehicle at its designated parking facility under the following conditions:
  a. When the member will not be working for five or more workdays.
  b. When the member will not be working for two or more workdays, and;
     1. The unit has a limited number of vehicles.
2. The vehicle is customarily used by other members during the work-day.

Members should be aware that they are subject to IRS reporting requirements for their personal use of any city owned vehicle.

**Non-Authorized Members (1245.00)**

Non-authorized members will not use a city vehicle to drive to and from work, or for personal business. However, RU managers may authorize a non-authorized member to use a city vehicle for a limited period when:

a. Police or family related emergencies exist which require an immediate response.
b. Police-related activities occur before or after normal working hours.
c. Used for out of town trips on police business.
d. The member is the acting branch, division, precinct or unit manager during the absence of the assigned commanding manager.

**Exceptions (1245.00)**

Authorized members driving an unmarked city vehicle whose assignment requires the member to immediately respond to an incident on a 24 hour per day, seven days per week basis may use the vehicle for personal use so long as it is pursuant to a law enforcement function. Examples may include:

a. Authorized members who command a branch, precinct, division or unit.
b. Authorized members with immediate or emergency call responsibility on a 24-hour-per-day, seven-days-per-week basis and approved by the Branch chief.
c. The Public Information Officer.

Authorized members granted this exception will be required to monitor either a mobile police radio, a pack set or carry a paging system when using the vehicle.

Members assigned to the Motorcycle Detail of the Traffic Division may ride their assigned motorcycles directly to and from work, and will not be charged a monthly vehicle rental fee.

**1250.00 BUREAU EQUIPMENT USE**

Index: Title
Refer: DIR 630.05 Vehicle Pursuits
DIR 1110.00 Appearance Standards
Monthly Vehicle Report (Fleet Coordinator)
Property/Equipment Inventory Status Report (Fiscal)
PROCEDURE (1250.00)

Fiscal Services (Fiscal) Responsibilities
a. Acquire, assign and distribute all Bureau property/equipment, except:
   1. The Fleet Coordinator is responsible for vehicles and equipment installed in or attached to the vehicle.
   2. The Training Division (Training) is responsible for shotguns, other issued weapons, ammunition and portable radios.
   3. The Communications Coordinator is responsible for cell phones, pagers and communications equipment.
b. Maintain an accurate up-to-date inventory of the status and assignment of all Bureau property/equipment, except for shotguns/weapons and vehicles and their related items.
c. Coordinate with RUs to ensure that property/equipment is properly obtained, assigned and is added to the Bureau inventory.
d. See that purchases and expenditures are in compliance with the City’s budgetary and accounting procedures.
e. Coordinate with other bureaus, as appropriate, to ensure their inventories of our property/equipment are correct and charges for maintenance/replacement are accurate.

Fleet Coordinator Responsibilities (1250.00)
a. The contact and liaison person for all functions relating to the fleet and equipment installed in or attached to Bureau vehicles.
b. Maintain an accurate up-to-date inventory of the status and assignment of all vehicles and the equipment which are installed in or attached to vehicles. The vehicle inventory will be checked against the vehicle assignment reports, provided by RU managers on the 1st of each month.
c. Coordinate with each RU to determine the fleet requirements for vehicle additions or replacements. This information will be used by the Fleet Coordinator to develop the fleet budget, which will be coordinated with Fiscal and City Fleet. All requests for new or used vehicle purchases, transfers or removal from an RU, the Bureau and/or Fleet’s inventory will require the permission of the RU’s Branch chief and will be coordinated through the Fleet Coordinator.
d. Resolve vehicle/equipment maintenance, service problems and requests for modifications with the affected RU, City Fleet and ComNet. To ensure continuity and to fix responsibility, RUs and members will not modify a vehicle or its equipment and will not bypass the Fleet Coordinator by going directly to ComNet or City Fleet to complain about maintenance or service problems or to request modifications to vehicles or equipment. All such complaints or requests for vehicle or equipment modifications are to be routed by the Fleet Coordinator. This does not affect normal,
routine or emergency maintenance and service, which will continue to be handled and scheduled as in the past.
e. Monitor vehicle and related equipment maintenance/replacement expenditures to ensure we are only charged for vehicles and equipment currently assigned. Discrepancies will be reported to the affected RU and Fiscal. Corrective action will be initiated to alleviate the overcharges or obtain a budget credit.
f. Develop bid specifications for vehicles and related equipment by working with the Vehicle Equipment Committee, City Fleet and ComNet.
g. Review all collisions involving Bureau vehicles. Copies of all reports pertaining to vehicle damage will be routed to the Fleet Coordinator.
h. Work with units to promote fleet safety, including the reduction of collisions.
i. Maintain all files and records associated with fleet administration.
j. Submit a cost summary report to the Chief of Police in September of each year of the total expenditures resulting from vehicle collisions during the prior fiscal year.

RU Manager Responsibilities (1250.00)

a. All property, equipment and buildings assigned to their command.
b. Set up and maintain an accurate up-to-date inventory of all property, equipment and vehicles assigned to the RU.
c. Assign responsibility to one member of the RU for maintaining the inventory and related records. This member is responsible for:
   1. Coordinating with Fiscal, the Fleet Coordinator and other affected RU’s and bureaus when property, equipment and vehicles are obtained, transferred, damaged, destroyed, stolen, lost, recovered or have unresolved mechanical/service problems (refer to Property/Equipment Inventory-Status Report form). The Property/Equipment Inventory Status-Change Form is to be used any time property, equipment, vehicles are assigned, transferred, stolen, lost, seriously damaged, destroyed, recovered or there are service problems or mechanical defects which are not corrected. This form need not be used in the case of vehicle damage by collision or criminal act. This form is to be completed and routed as shown on the back of the form. Completion of this form is an important factor in ensuring that the Bureau’s inventories are correct and that charges by ComNet and City Fleet for maintenance and replacement of our equipment and vehicles are accurate.
   2. Seeing that all portable radios and shotguns are inventoried a minimum of once a day.
   3. Providing the Fleet Coordinator with a current list of assigned ve-
vehicles on a Monthly Vehicle Report. This list will be submitted every six months and will include all vehicles assigned on the last day of the previous period.

4. Seeing that a complete inventory of all assigned property and equipment is conducted by June 30th of each year, preferably at the same time the City Property Inventory is completed.

d. Coordinating with the relieving RU manager when there is a change of command in seeing that there is a complete facility inspection and inventory of all assigned property, equipment and vehicles. The inspection and inventory are conducted to ensure that inventory items are present and accounted for and in operable condition before the new manager takes command.

e. The new RU manager is responsible for writing a memo covering the inventory and inspection results and/or deficiencies. The original of the report is to be forwarded to the Branch chief responsible for the RU, with a copy placed in the RU files.

**Member Responsibilities (1250.00)**

Members are responsible for the uniforms, equipment, vehicles, property and buildings they use, checkout or are issued while employed by the Bureau. They are responsible to:

a. Return checked out, borrowed, issued uniforms, equipment, vehicles or property in good condition within the specified time frame or as required by the Bureau or supervisors.

b. Turn in all uniforms, equipment or property in his/her possession at the time of promotion to the rank of detective or criminalist or upon assignment as a sergeant to these divisions; when placed on LOS with serious medical problems, which will likely result in later assignment to Extended Disability and when transferred to Extended Disability; on termination or retirement; and before the final pay check is issued. The Personnel Division (Personnel) is responsible for seeing that the member complies with this section.

c. The cleanliness, maintenance, repair and replacement of uniform, equipment and property as specified in DIR 1110.00.

d. Obtain written permission through the chain of command prior to making alterations to or tests on uniform equipment, vehicles, buildings or property, which is issued, loaned or assigned to the City and/or the Bureau. Permission from the responsible Branch chief will be required, if the requested test or alterations are contrary to Policy/Procedure or are more than minor in scope.
e. Members will not intentionally, recklessly or negligently damage or destroy City equipment, buildings, property, uniforms or vehicles, except when using approved pursuit intervention strategies as described in DIR 630.05.

f. Members responsible for loss, damage or destruction of uniforms, equipment, vehicles, buildings or property, which is caused intentionally, recklessly, or negligently, will be subject to disciplinary action and may be required to replace or repair the item in question at his/her own expense. The use of approved pursuit intervention techniques are an affirmative defense to this, and will mitigate any discipline otherwise given.

Temporary Assignment/Renting or Leasing Vehicles (1250.00)

Any vehicles leased or rented from a private or government agency, including Fleet pool cars, must be approved by the appropriate RU manager and Fleet Coordinator. All requests for vehicle leases and rentals will be routed through the Fleet Coordinator. The only exceptions to this directive are for emergencies and immediate operational needs, usually over a weekend. When a rental is obtained outside of the Fleet Coordinator’s approval, notification will be made as soon as practical. Notification will include date, time length, cost, make and model of vehicle and rental agency used. The Coordinator will assist members in locating vehicles from other bureaus, units and divisions when needed.
### POLICY AND PROCEDURE

#### DEFINITIONS AND ACRONYMS USED THROUGHOUT THIS MANUAL

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<tr>
<th>Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>AAS</td>
<td>Amber Alert System</td>
</tr>
<tr>
<td>ADA</td>
<td>Americans with Disabilities Act</td>
</tr>
<tr>
<td>ADS</td>
<td>Aging &amp; Disability Services</td>
</tr>
<tr>
<td>AFIS</td>
<td>Automated Fingerprint Identification System</td>
</tr>
<tr>
<td>AFU</td>
<td>Asset Forfeiture Unit</td>
</tr>
<tr>
<td>ALS</td>
<td>Advanced Life Support</td>
</tr>
<tr>
<td>AMR</td>
<td>American Medical Response</td>
</tr>
<tr>
<td>ASII</td>
<td>Administrative Supervisor II</td>
</tr>
<tr>
<td>ASU</td>
<td>Air Support Unit</td>
</tr>
<tr>
<td>ATV</td>
<td>All Terrain Vehicle</td>
</tr>
<tr>
<td>BCH</td>
<td>Bureau Contract Hospital</td>
</tr>
<tr>
<td>BHR</td>
<td>Bureau of Human Resources</td>
</tr>
<tr>
<td>BLS</td>
<td>Basic Life Support</td>
</tr>
<tr>
<td>BOEC</td>
<td>Bureau of Emergency Communication</td>
</tr>
<tr>
<td>BOLI</td>
<td>Bureau of Labor &amp; Industry</td>
</tr>
<tr>
<td>Bureau I.D.</td>
<td>Identification cards issued to every Bureau member.</td>
</tr>
<tr>
<td>CAD</td>
<td>Computer Assisted Dispatch</td>
</tr>
<tr>
<td>CAT</td>
<td>Child Abuse Team</td>
</tr>
<tr>
<td>CBRNE</td>
<td>Chemical, Biological, Radiological/Nuclear &amp; Explosive Incidents</td>
</tr>
<tr>
<td>CCH</td>
<td>Computerized Criminal History</td>
</tr>
<tr>
<td>CCI</td>
<td>Certified Carbine Instructor</td>
</tr>
<tr>
<td>CCIC</td>
<td>Crowd Control Incident Commander</td>
</tr>
<tr>
<td>C-cite</td>
<td>A citation in lieu of arrest used for non-traffic offenses.</td>
</tr>
<tr>
<td>CCS</td>
<td>Crime Capture System (replaces XIMAGE)</td>
</tr>
<tr>
<td>CFI</td>
<td>Certified Firearms Instructor</td>
</tr>
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Policy and Procedure

Chain of Command: The established order of authority for members of the Bureau. The chain of command for sworn members, in descending order, is: Chief of Police, Assistant Chief, Commander, Captain, Lieutenant, Sergeant, and Police Officer. The place of non-sworn employees in the chain of command is dependent on their classification and assignment.

CHIERS: Central City Concern-Hooper Inebriate Emergency Response Service
CIC: Critical Incident Commander
CILC: Citation in lieu of Custody
CIT: Crisis Intervention Team
CIU: Criminal Intelligence Unit
CJIS: FBI Criminal Justice Information Services
CMS: Case Management System
COBRA: Consolidated Omnibus Budget Reconciliation Act
COPS: Community Oriented Policing Services
CPPC: Crime Prevention Program Coordinator
CRB: Collision Review Board
CRI: Confidential Reliable Informant
Crime Lab: Oregon State Crime Lab
CRO: Communication Restriction Order
CRT: Crisis Response Team
DA: Multnomah County District Attorney’s Office
DC: Dispatch Coordinator
DCS: Distribution of Controlled Substance
DCTU: District Council of Trade Unions
DDA: Deputy District Attorney
DDB: Directive Display Board
DEA: Drug Enforcement Administration
DEQ: Oregon Department of Air Quality
Detail  The smallest functional unit within a division or precinct. During emergency occurrences, even small units called teams may be established.

Detox  Hooper Memorial Center

DHS  Department of Human Services

DIR  Directive found in the Manual of Policy and Procedure

District  A geographical area assigned

DMV  Oregon Department of Motor Vehicles

DOR  Daily Observation Report

DPSST  Department of Public Safety Standards and Training

DUII  Driving Under the Influence of Intoxicants

DVD  Drugs and Vice Division

DVRU  Domestic Violence Reduction Unit

DV  Domestic Violence

EAO  Employee Assistance Office

EAP  Employee Assistance Program

EBS  Emergency Broadcast System

ECC  Emergency Coordination Center

ECRT  Elder Crime Report Team

EDU  Explosives Disposal Unit

EFAR  Evidence Fund Accounting Receipt

EFER  Evidence Fund Expense Report

EIN  Cadet Identification Number

EMF  Exclusion Maintenance File

EMS  Emergency Medical Services, fire and ambulance

EPAN  Electronic Personnel Action Notice

ESWIS  Electronic Sheriff’s Warrant Information System

FAA  Federal Aviation Administration

FARB  Fleet Accident Review Board

FBI  Federal Bureau of Investigation

FCR  Field Contact Report
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<th>Description</th>
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<td>FDCR</td>
<td>Force Data Collection Report</td>
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<td>FET</td>
<td>Federal Exercise Tax</td>
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<tr>
<td>FFI</td>
<td>Furnishing False Information</td>
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<tr>
<td>Fiscal</td>
<td>Fiscal Services Division</td>
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<tr>
<td>FLO</td>
<td>Family Liaison Officer</td>
</tr>
<tr>
<td>FMLA</td>
<td>Family Medical Leave Act</td>
</tr>
<tr>
<td>Forensics</td>
<td>Forensics Evidence Division</td>
</tr>
<tr>
<td>FPDR</td>
<td>Fire, Police, Disability &amp; Retirement</td>
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<tr>
<td>FSD</td>
<td>Family Services Division</td>
</tr>
<tr>
<td>FSLA</td>
<td>Fair Labor Standards Act</td>
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<tr>
<td>FTEP</td>
<td>Field Training &amp; Evaluation Program</td>
</tr>
<tr>
<td>FTO</td>
<td>Field Training Officer</td>
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<tr>
<td>GET</td>
<td>Gang Enforcement Team</td>
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<tr>
<td>GSC</td>
<td>Gate Security Checkpoint</td>
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<tr>
<td>GVW</td>
<td>Gross Vehicle Weight</td>
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<td>HazMat</td>
<td>Portland Fire and Rescue Hazardous Materials Team</td>
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<td>HB</td>
<td>House Bill</td>
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<tr>
<td>HNT</td>
<td>Hostage Negotiation Team</td>
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<tr>
<td>HQC</td>
<td>Handgun Qualification Course</td>
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<td>HR</td>
<td>Human Resources</td>
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<td>IAD</td>
<td>Internal Affairs Division</td>
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<tr>
<td>IAP</td>
<td>Incident Action Plan</td>
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<tr>
<td>IC</td>
<td>Incident Commander</td>
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<td>ICE</td>
<td>Immigration &amp; Customs Enforcement</td>
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<tr>
<td>ICS</td>
<td>Incident Command System</td>
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<tr>
<td>I.D.</td>
<td>Permanent Bureau identification number which is always the same as the member’s DPSST number.</td>
</tr>
<tr>
<td>Inter-Office Memorandum</td>
<td>Written, printed, or typed correspondence, on a standardized form which is used exclusively to communicate within the Bureau.</td>
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<tr>
<td>IPR</td>
<td>Independent Police Review</td>
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</table>
I & R Information & Referral
IS Incident Supervisor
ITD Information Technology Division
JDH Juvenile Detention Hall/Juvenile Justice Complex
LECP Law Enforcement Cadet Program
LEDS Law Enforcement Data System (Oregon State Police)
LOA Leave of Absence
LOS Leave of Service
MCAC Multnomah County Animal Control
MCDC Multnomah County Detention Center (Booking)
MCSO Multnomah County Sheriff’s Office
MCSOSO Multnomah County Sheriff’s Office Special Order
MCS Manufacture of Controlled Substance
MDC Mobile Data Computer
MDT Multi-Disciplinary Team
ME Medical Examiner
MEDU Metropolitan Explosive Disposal Unit
Memorandum Formal typed correspondence on city letterhead containing directive, advisory, or informative matter. It has a limited internal use. It will be used for correspondence with other city bureaus and Multnomah County agencies. It is normally delivered by the city and/or county mail system.
MHP Mental Health Provider
MIP Minor in Possession
MPERS Missing Persons Unit
NAFY New Avenues For Youth
NCIC III National Crime Information Center
NLETs National Law Enforcement Telecommunications System
NLO Neighborhood Liaison Officer
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<th>Description</th>
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<td>NRT</td>
<td>Neighborhood Response Team</td>
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<tr>
<td>NSC</td>
<td>Non-sworn Safety Committee</td>
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<tr>
<td>NSF</td>
<td>Non-Sufficient Fund</td>
</tr>
<tr>
<td>NTSB</td>
<td>National Transportation Safety Board</td>
</tr>
<tr>
<td>OAPS</td>
<td>Office of Accountability &amp; Professional Standards</td>
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<tr>
<td>OAR</td>
<td>Oregon Administrative Rules</td>
</tr>
<tr>
<td>ODL</td>
<td>Oregon Driver’s License</td>
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<td>OFLMA</td>
<td>Oregon Family Medical Leave Act</td>
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<tr>
<td>OHSU</td>
<td>Oregon Health Science University</td>
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<tr>
<td>OJIN</td>
<td>Oregon Judicial Information Network</td>
</tr>
<tr>
<td>OLCC</td>
<td>Oregon Liquor Control Commission</td>
</tr>
<tr>
<td>ONI</td>
<td>Office of Neighborhood Involvement</td>
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<tr>
<td>OPCON</td>
<td>Operational Condition</td>
</tr>
<tr>
<td>ORS</td>
<td>Oregon Revised Statute</td>
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<tr>
<td>OSHA</td>
<td>Occupational Safety &amp; Health Administration</td>
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<tr>
<td>OSIN</td>
<td>Oregon State Intelligence Network</td>
</tr>
<tr>
<td>OSP</td>
<td>Oregon State Police</td>
</tr>
<tr>
<td>OT</td>
<td>Overtime</td>
</tr>
<tr>
<td>OUCR</td>
<td>Oregon Uniform Crime Reporting</td>
</tr>
<tr>
<td>PARKS</td>
<td>Portland Parks &amp; Recreation</td>
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<tr>
<td>PART</td>
<td>Police Alcohol Recovery Team</td>
</tr>
<tr>
<td>PC</td>
<td>Probable Cause</td>
</tr>
<tr>
<td>PCS</td>
<td>Possession of Controlled Substance</td>
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<tr>
<td>PED</td>
<td>Property Evidence Division</td>
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<tr>
<td>PENS</td>
<td>Portland Emergency Notification System</td>
</tr>
<tr>
<td>PERS</td>
<td>Public Employees Retirement System</td>
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<tr>
<td>Personnel</td>
<td>Personnel Division</td>
</tr>
<tr>
<td>PFB</td>
<td>Portland Fire Bureau</td>
</tr>
<tr>
<td>PHWF</td>
<td>Police Health &amp; Welfare Fund</td>
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<tr>
<td>PIN</td>
<td>Premise Information Notification</td>
</tr>
<tr>
<td>PIO</td>
<td>Public Information Officer</td>
</tr>
</tbody>
</table>
POLICY AND PROCEDURE

PIT  Precision Intervention or Pursuit Intervention Technique
PLM  Police Liability Management
PLO  Police Liaison Officer
Police Action  Any circumstance, on or off duty, in which a sworn member of the Bureau exercises or attempts to exercise official authority.
Port  Port of Portland
PPA  Portland Police Association
PPB  Portland Police Bureau
PPCOA  Portland Police Commanding Officers Association
PPDS  Portland Police Data System
PPE  Personal Protection Equipment
PRB  Performance Review Board. A review board comprised of citizen and Bureau members that review sustained IAD cases.
PSRB  Psychiatric Security Review Board
PSTAT  Personnel Status
PST  Peer Support Team
PTO  Personnel Training Order
RACC  Resource and Coordination Center
RBC  Review Board Coordinator
Records  Records Division
Relief  That portion of the personnel of a precinct or division assigned to one shift.
ROCN  Regional Organized Crime Narcotics Task Force
RRT  Rapid Response Team
RTW  Return to Work
RU  Responsibility Unit
RVA  Rape Victim Advocate
R-View  Reports Viewer
SERT  Special Emergency Reaction Team
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>SCBA</td>
<td>Self Contained Breathing Apparatus</td>
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<tr>
<td>SC</td>
<td>Safety Committee</td>
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<tr>
<td>SCRM</td>
<td>Service Complaint Resolution Memo</td>
</tr>
<tr>
<td>SCU</td>
<td>Sex Crimes Unit</td>
</tr>
<tr>
<td>SHQC</td>
<td>Secondary Handgun Qualification Course</td>
</tr>
<tr>
<td>SID</td>
<td>Number given to individuals entered into the Oregon State Police Law Enforcement Data System</td>
</tr>
<tr>
<td>SIDS</td>
<td>Sudden Infant Death Syndrome</td>
</tr>
<tr>
<td>SOP</td>
<td>Standard Operating Procedure (Directives at the division/unit level)</td>
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<tr>
<td>SPI</td>
<td>Special Property Investigations</td>
</tr>
<tr>
<td>SQC</td>
<td>Shotgun Qualification Course</td>
</tr>
<tr>
<td>SRO</td>
<td>School Resource Officer</td>
</tr>
<tr>
<td>SSC</td>
<td>Sworn Safety Committee</td>
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<tr>
<td>SSD</td>
<td>Strategic Services Division</td>
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<tr>
<td>TCO</td>
<td>Trespass Control Officer</td>
</tr>
<tr>
<td>TFO</td>
<td>Tactical Flight Observer</td>
</tr>
<tr>
<td>Through Channels</td>
<td>A designation placed on a communication which is addressed to someone other than the writer’s immediate supervisor or subordinate. Any communication so designated will travel through the hands of the superior or subordinate officer in the chain of command to the addressee. A communication so designated may not be stopped or unnecessarily delayed before reaching the addressee.</td>
</tr>
<tr>
<td>TMSC</td>
<td>Taser Medical Safety Committee</td>
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<tr>
<td>TOD</td>
<td>Tactical Operations Division</td>
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<tr>
<td>Traffic</td>
<td>Traffic Division</td>
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<tr>
<td>TriMet</td>
<td>Tri-Metropolitan Transportation District</td>
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<tr>
<td>TRU</td>
<td>Telephone Report Unit</td>
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<td>TTY/TDD</td>
<td>Telecommunications for the Deaf</td>
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<td>UDAR</td>
<td>Uniform Daily Assignment Roster</td>
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<td>Acronym</td>
<td>Description</td>
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<tr>
<td>---------</td>
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<td>UFRB</td>
<td>Use of Force Review Board. A review board comprised of citizens and Bureau members that reviews use of force cases.</td>
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<tr>
<td>UPPA</td>
<td>Unlawful Prostitution Procurement Activity</td>
</tr>
<tr>
<td>UPS</td>
<td>United Parcel Service</td>
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<tr>
<td>UUMV</td>
<td>Unauthorized Use of a Motor Vehicle</td>
</tr>
<tr>
<td>VA</td>
<td>Veterans Hospital</td>
</tr>
<tr>
<td>VIN</td>
<td>Vehicle Identification Number</td>
</tr>
<tr>
<td>WIN</td>
<td>Western Identification System</td>
</tr>
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<td>Z-cite</td>
<td>A citation used for traffic offenses</td>
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