

Portland Police Bureau

Manual of Policy and Procedure

(Electronic Version)



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**Vera Katz, Mayor
Derrick Foxworth, Chief of Police**

**Portland Police Bureau
Planning and Support Division
1111 S.W. 2nd Avenue
Portland, OR 97204
503-823-0283**

Portland Police Bureau Policy and Procedure Manual (Electronic Version)

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Questions or comments can be sent to:
Portland Police Bureau
Planning and Support Division
1111 S.W. 2nd Avenue
Room 1552
Portland, OR 97204
503-823-0283
503-823-0289 Fax
mail@portlandpolicebureau.com



CITY OF
PORTLAND, OREGON
BUREAU OF POLICE

VERA KATZ, MAYOR
Mark A. Kroeker, Chief of Police
1111 S.W. 2nd Avenue
Portland, Oregon 97204

Service Compassion Integrity Excellence Respect

September 2003

To the Men and Women of the Portland Police Bureau:

This 2003 edition of the Manual of Policy and Procedure incorporates significant changes to existing directives or new directives completed close to the Manual publication date. All employees should review those changes highlighted in the following section titled “What’s New in this Edition.” I am pleased that the response to the manual in this format continues to be very positive.

2003 edition highlights:

- All directives in the manual are in searchable format on the Bureau Intranet and available on the World Wide Web at the Bureau home page at www.portlandpolicebureau.com.
- Selected appendices, such as some forms, are now referred to in each directive, and may be available on the Bureau Intranet or from the originating division.
- The annual review of directives was completed and this new edition incorporates the annual updates.
- Executive Orders modifying or adding Directives issued to the 2002 Manual are incorporated into the 2003 edition.

Bureau Mission, Values and Goals

Because directives provide the policies of the Bureau, all must reflect the Bureau Mission, Vision, Values and Goals.

- The Mission of the Portland Police Bureau is to maintain and improve community livability by working with all citizens to preserve life, maintain human rights, protect property and promote individual responsibility and community commitment.
- The Vision for the Portland Police Bureau is a city free from crime and the fear of crime, where people and police work together to improve their neighborhoods.
- Our Values are in Service, Compassion, Integrity, Excellence, and Respect.
- Our Community Goals are to:
 1. Reduce crime and the fear of crime.
 2. Improve the quality of life in neighborhoods.
 3. Improve the community and police partnership.

- Our Organizational Goals are to:
 1. Develop and encourage personnel.
 2. Obtain and make effective use of technology and equipment.
 3. Continuously improve work processes.

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. However, *integrity* requires all members adhere to Bureau directives. Supervisors must be diligent in ensuring subordinate adherence to directives. Managers set examples, provide training, and monitor and inspect adherence to all directives and conduct audits to ensure that things are being done right. Supervisors and managers must solicit and provide input regarding unrealistic policies and procedures. All members have a responsibility to make suggestions to ensure that all policies and practices are realistic and practical.

2003 Manual What's New in This Edition

060.45 Personnel Training Orders

New procedure for training applications.

210.00 Training Announcement Programs (PPDS)

Change in site management.

210.21 Leaves of Service

Updated Family Medical Leave section.

210.30 Timekeeping and Overtime

Adds new section outlining the process of accounting for sick and LOS time/payments.

218.00 Highland Guard/Honor Guard

New directive that defines roles and who to contact for performances.

310.40 Courtesy

Change in Bureau policy on profanity.

600.00 Aircraft, Use of

Complete revision to expand deployment.

630.33 Senior Neighborhood Officer/Neighborhood Liaison Program

Adds Senior Neighborhood Officer (SNO) program.

630.40 Medical Service Policy Emergency and Non-emergency

Revised to include protocol for drug induced psychosis and other similar events.

630.50 Emergency Medical Aid

Revised to include resuscitation requirements so that CPR will be applied with approved device.

630.60 Vehicle Disposition: Towing, Recovered, Abandoned

Added charges that require towing.

630.61 Stolen Vehicles

New directive that defines investigation parameters of stolen cars and adds category of Felony Vehicle.

640.13 Drug Lab Procedures

New general responsibilities, including assessment of critical procedures. Safety information added.

640.20 Sexual Assault Investigations

Changed title from Rape and Sodomy Investigations and revised investigations section.

640.35 Elderly Persons, Abuse and Neglect

Change of investigation procedures.

640.40 Investigations and Interviews on School Property

Complete revision that defines school property and response to calls for service.

640.70 Fingerprinting and Photographing Juveniles

Revised process for fingerprinting and photographing of juvenile offenders.

660.10 Evidence and Property Procedures

Complete revision that incorporates changes due to curtailments.

670.00 TriMet Enforcement

Tri-Met is now TriMet and is referred to as the Transit Police. Exclusion/Trespass procedure change as a result of SB 46.

690.00 Training – Precinct/Division

Change in procedure for precinct/division sponsored training.

740.00 Bomb Threats, Explosive Devices, Post – Blast Procedures, and Explosive Disposal Unit

Adds section requiring EDU examination of devices to verify operability as key part of prosecution.

741.00 Chemical and Biological Agents/Weapons

New directive includes procedures for handling biological and chemical weapons.

780.00 Volcano Emergency Plan

Rescinded.

835.00 Exclusion From City of Portland Properties

Adds clarification for members to refer to updates issued by the City Attorney. Exclusion/Trespass arrest procedure revision as a result of SB 46.

835.20 Illegal Camping, Notice and Enforcement

Revises procedure for officers to directly contact JOIN outreach services.

850.00 Enforcement Procedures, Trespass Arrest, Private Premises, Public Subsidized Premises, Owner Responsibilities; Solicitation of Police Assistance

Adds clarification for members to refer to updates issued by the City Attorney. Trespass arrest procedure revision as a result of SB 46.

860.10 Traffic Citations and Arrests

Clarification of citations issued for traffic violations and crimes.

870.20 Handcuffing, Searching and Transportation of Persons Under Arrest or Detained

Adds that persons in maximum restraint must not have legs restrained any closer than a 90-degree angle relative to the torso.

870.30 Processing of Persons into MCDC

Updates open booking procedures.

870.80 Prisoners, Line-up and Show-up

Complete revision that simplifies the process.

1020.00 Sidearms, Shotguns, Ammunition, Qualification and Cleaning Standards

Revised Qualification section on timeline.

1051.00 Taser

New directive for deployment of the Taser.

1110.00 Appearance and Grooming Standards

Corrected date of tattoo allowance.

1225.00 Communication Technology

Adds requirement for telephone greeting. Requires fee schedule for personal use of fax machine.

Addition to Acronyms

A more inclusive definition table of many acronyms for easy reference.

A handwritten signature in black ink that reads "Mark A. Kroeker". The signature is written in a cursive, flowing style.

Mark A. Kroeker
Chief of Police

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001.00 FILES – DIVISION/PRECINCT/UNIT

Index: Title

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

POLICY AND PROCEDURE

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 sub-section 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 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.

**010.00 DIRECTIVES; MANUAL OF POLICY AND PROCEDURE;
OPERATIONS ORDERS**

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, Goals, Values, and Cornerstones 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

An Executive Order is a memorandum signed by the Chief (or designee) that dictates compliance and/or amends a specific directive.

A Special Order is a Bureauwide written order issued by the Chief or designee, which specifies policy and procedure governing a particular situation. These orders may include an expiration date.

An Operation Order is a branch or unit wide order issued by a branch or RU manager, which specifies policy and procedure governing a particular situation or mission.

Manual of Policy and Procedure

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 PSD 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 Chief. The originator is responsible to provide all appropriate information to the Chief enabling him/her to make an informed decision as to the feasibility of the new directive. It is also the responsibility of the

POLICY AND PROCEDURE

- originator to orient all branch managers or their designees of the intricacies of any new programs or major changes to programs included in a proposed new directive.
2. Upon approval by the Chief, the request and information will be forwarded to the Planning and Support Division (PSD) Manager who will assign staff to the project.
 3. The assigned PSD member 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. The assigned PSD member will act as the project liaison.
 2. Upon completion of the first draft, it will be forwarded to the assigned PSD member, both in hard copy and on electronic file. That member 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 PSD, for review and comments, to the following:
 - 1) All branch managers.
 - 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 PSD.
 2. Final Draft Staffing
 - a) The final draft of the directive will be developed by PSD 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 managers.
 - 2) City Attorney's Office.
 - 3) Appropriate bargaining units (i.e., PPA, PPCOA, DCTU).
 - 4) Other appropriate individual(s).
 - c) PSD must receive returned final draft face sheets from all branch managers and the Deputy City Attorney with their signature, and the "approval as written" space checked, prior to presentation to the Chief for

signature.

d. Publication

1. Upon completion of the final draft process the document will be prepared in the publication format.
2. The directive will then be forwarded to the Chief for signature.
3. The directive will be returned to PSD for distribution and archiving.
 - a) Most new directives will be published at times other than the yearly 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 yearly Manual of Policy and Procedure publication date will be included in the newly published manual.
- e. Distribution will be done by PSD. 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 yearly by the unit/division most appropriate for the subject matter. The Chief will assign these units/divisions. This review process will occur yearly. It will not preclude review of directives as needed throughout the rest of the year. With the results of the yearly reviews, PSD 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 yearly review in that year's 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 PSD staff, and forwarded to the Chief for his/her signature.
 3. Distribution will be done by PSD.
- b. Extended line change(s): More extensive changes to the text that do not constitute a complete review and re-write.
 1. The PSD Manager will forward the request to the Chief 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 managers, all appropriate bargaining units (PPA, PPCOA, DCTU),

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- and City Attorney's Office, and any other division/unit/RU manager that is appropriate for the issues involved in the change. PSD must receive returned final draft face sheets from all branch managers and Deputy City Attorney with their signature, and the "approval as written" space checked, prior to presentation to the Chief for signature.
3. The revised directive will be forwarded, by PSD, to the Chief for signature. The revised directive will be published as an Executive Order if the publish date does not allow for inclusion in the yearly publication of the Manual of Policy and Procedure.
 4. Distribution will be done by PSD.
- 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 unit/division appointed by the Chief as the most appropriate. 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 Chief's approval of a revision request, the PSD Manager will assign a staff member to the project who 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 PSD.

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 Chief.
- b. Approved requests and appropriate information will be forwarded to the PSD Manager for staff assignment.
- c. The assigned member will do follow-up research and preparation for staffing the request.
- d. A single staffing will be distributed to the following:
 1. All branch managers.
 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

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Mayor's Office, U.S. Attorney's Office and/or District Attorney's Office.
e. Executive Orders will be staffed and distributed by PSD.

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.

060.40 PERSONNEL ORDERS

Index: Title

Refer: Leave of Absence Application (Personnel)
Personnel Action Form (Personnel)
Separation Form (Personnel)

PROCEDURE (060.40)

All members taking a leave of absence will submit a completed Leave of Absence Application (City form) through channels to the Personnel Division (Personnel) in an enveloped marked Confidential.

Those members resigning or retiring will submit a completed Separation Form through channels to Personnel.

All other requests for Personnel Orders will be submitted on a completed Personnel Action Form through channels to the appropriate Branch manager(s) for their consideration. If the request is approved, the Branch manager(s) will forward the form to Personnel.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (060.40)

Personnel will process and archive all Personnel Orders and distribute copies to all RU's 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

A Personnel Training Order (PTO) is a written directive relating to training assignments, issued at the Bureau level, and authorized by the RU manager.

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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.

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'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.

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, distributed on blue paper, provide helpful information to members.

Safety Bulletins, distributed on green paper, provide member with safety information.

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's approval.
- b. Publish and distribute to appropriate members.
- c. Maintain and store current and past Tips and Techniques and Safety Bulletins.

060.60 DIVISION/PRECINCT ORDERS AND STANDING OPERATING PROCEDURES

Index: Title

Refer: DIR 090.00 Directive Display Procedures

PROCEDURE (060.60)

Directive Specific Definitions

A Division/Precinct Order is a directive, from a division or precinct manager, which is only effective within the division or precinct where issued.

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

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)

SOP's 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's that expand on, are related to or give authority to the material in the SOP.

POLICY AND PROCEDURE

090.00 DIRECTIVE DISPLAY PROCEDURES

Index: Title

Refer: Directive Display Board (DDB) Diagram (MSD)

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.
 - g. Manual of Policy and Procedure

A minimum of one copy of the current manual will be placed on the shelf of the DDB.
 - h. SOP Manual

RUs maintaining an SOP Manual will keep a current copy on the shelf of the DDB.
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120.00 INSPECTION AND CONTROL, RESPONSIBILITY AND AUTHORITY

Index: Title

Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process
DIR 342.00 Performance Deficiencies and Non-internal Affairs Rule Violations
Audit and Inspection Manual (CHO)

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)

Inspection and Control Unit (ICU)

The Chief will assign personnel to provide independent, factual statements of observed task performance based on after-the-fact documentation and/or at-the-scene observations of Bureau entities. Findings and recommendations will be reported to the Chief, branch manager, and RU manager in accordance with the procedure in the Audit and Inspection Manual. Inspections and audits will be conducted routinely as prescribed in the ICU manual, or randomly at the direction of the Chief.

Misconduct and Job Performance Problems (120.00)

If serious misconduct is discovered during an inspection or audit, the appropriate RU manager will be notified. He/she shall ensure that a separate investigation is conducted or that a report of the possible misconduct is made to the Internal Affairs Division (IAD), per DIR 330.00, Internal Affairs, Complaint and Investigation Process. The inspection or audit will proceed normally, except that the IAD complaint will be noted in the inspection or audit report.

If job performance problems are discovered during an inspection or audit, the appropriate RU manager will be notified. He/she shall ensure that a separate investigation is conducted, per DIR 342.00 Performance Deficiencies and Non-internal Affairs Rule Violations. The inspection or audit will proceed normally, except that the RU manager's actions will be noted in the inspection or audit report.

ICU Manual (120.00)

The Chief's Office is responsible to develop, maintain, and update the ICU manual. This manual defines the responsibilities of all personnel in regard to inspection and audits. Inspection and audit methodology, schedules, and reporting procedure and format are included in the manual.

RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL (120.00)

All branch managers, RU managers, and commanding officers 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 on-going inspections to ensure proper performance and the most efficient use of budget, equipment, material, facilities, and other resources.

205.00 CORRESPONDENCE FORMAT – EXECUTIVE ORDERS, LETTERS, MEMORANDA AND ENVELOPES

Index: Title; Executive Orders; Letters; Memoranda; Envelopes

Refer: Envelope Sample (CHO)

Executive Order Sample (CHO)

Inter-Office Memorandum Sample and Form (CHO)

Letter Sample (CHO)

Memorandum Sample (CHO)

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.

PROCEDURES (205.00)

Directive Specific Definitions

An executive order outlines new directives or procedural or policy changes to the Manual of Policy and Procedure. Executive orders can only be signed by the Chief or designee and are created by the Planning and Support Division. It will be on city letterhead.

An inter-office memorandum is a standardized form which is used exclusively within the Bureau for informal correspondence. Memos can be typed or handwritten.

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

A memorandum is 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, branch manager, RU manager or their designees.

Correspondence (205.00)

All correspondence must be authorized and signed by the Chief, branch manager, 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.

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

210.00 TRAINING ANNOUNCEMENT PROGRAMS (PPDS)

Index: Title

Refer: DIR 60.45 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 daily 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 a training class), make application to the sponsor, arrange for payment of fees and send verified completion of training forms to Training.

210.05 RECRUIT OFFICER FIELD TRAINING AND EVALUATION 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. Individuals already certified as police officers in Oregon may be assigned directly to field training. 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 Training, and may then be assigned to field training.

Field training assignments of recruits will be rotated between at least two precincts, with no assignment at any one to exceed two training phases (approximately ten (10) weeks).

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 Division (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 FTO's. 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

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

A Daily Observation Report (DOR) is the evaluation, based upon the Standardized Evaluation Guidelines, that is completed daily by the FTO, either within the ADORE computer program, or on the approved printed form.

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

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

The Field Training Coordinator is an officer, assigned to Training, designated as the Operations Coordinator of the FTEP.

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

A Recruit Training Sergeant is a sergeant from each relief at each precinct desig-

nated as the coordinator of the FTEP for that relief.

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

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. FTO's 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. The original DOR will be sent directly to Training if it is not completed within the ADORE program. A copy of the DOR will be forwarded through the precinct chain of command for inclusion in the recruit's Field 201 file.
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, to the recruit's field 201 file.

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 to document the recruit's performance. After completing the form the FTO will forward it to the recruit's detail sergeant for review, additional comments, and signature. The evaluation will then be returned to the FTO who will discuss the evaluation with the recruit. After the FTO and recruit sign the evaluation, the original will be sent directly to Training. A copy will be forwarded, through the precinct chain of command, to the recruit's field 201 file.
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 close enough 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.

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. 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. The original will be sent directly to Training and a copy forwarded, through the precinct chain of command, to the recruit's field 201 file.
- 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 Train-

ing 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 adrecruit. No recruit will be allowed to work solo before this notification.

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.

- c. 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 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.

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 include 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

All requests for site visits will be referred, through channels, to the Planning and Support Division (PSD) manager. The PSD manager 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 PSD resources on approved visits.
- d. If the visit is specific to one division or precinct, coordinate the visit with the appropriate division 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 311.20 Standards of Conduct; Fictitious Illnesses or Injury

DIR 410.00 Injuries/Illness to Bureau Members

DIR 880.20 Court Coordination

Applicable Bargaining Agreements

Attending Physician's Report Form (Fund)

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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 (Human Resources) HR
Sick Leave Report Form (Personnel)

POLICY (210.21)

Members will be provided with leave as required by law, negotiated bargaining agreements and in response to members suffering from a traumatic incident. Bureau of Human Resources (HR) 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. HR 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, assistant chiefs, deputy chiefs and the RU managers of Personnel and IAD.

Management Leave (210.21)

- a. Eligible members: Non-represented members who are exempt from over-time 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 grant leave to a non-represented member and to prepare a memorandum, directed to Fiscal.

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, through channels, for approval.

Executive Leave (210.21)

- a. Eligible members: PPCOA members, with the exception of the RU managers of Personnel and IAD.
- 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 manager.

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. In other words, you 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 prior to sending through channels to confirm the type of leave the member is entitled to and the time involved.
 - 2. Upon receiving the member's physician's report/certification or adoption papers, send through channels to the Personnel manager.
 - 3. Upon a member's return to work, consider any need for refresher training.
- c. RU Manager Responsibilities
 - 1. Display family leave posters as required by law. Posters can be ordered through BOLI Technical Assistance for Employers.
 - 2. Provide members who request leave with written information on FMLA. This can be obtained from Personnel.

POLICY AND PROCEDURE

3. In consultation with Personnel, for any leave that qualifies as FMLA (paid or unpaid), designate the leave as FMLA. Notify the member of the FMLA designation before the leave is started, if foreseeable, or within 24 hours of receiving the member's oral notice of the need for the leave, when leave is not foreseeable.
4. Determine if the member should be transferred to the personnel pool (refer to Loss of Service) while on leave and if so, take appropriate steps.

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. Members are allowed to petition their RU manager for an additional three paid days of travel time. DCTU members may receive two 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 Code 4.20.030.

Leave of Absence (LOA), Unpaid (210.21)

- a. Eligible members: All members.
- b. Basis for leave: For any reasonable purpose, at the Chief'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, or designee, may grant or extend an unpaid LOA for up to 30 days at a time. The Commissioner of the Bureau may grant a 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.
 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

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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.
- b. Supervisor responsibilities: Upon receiving the member's Physician's Report, send it through channels to Personnel. Upon receiving the memo stating how leave time is to be deducted, a copy is to be given to the unit timekeeper and a copy through channels to the RU manager.
- c. Personnel manager responsibilities: Upon member notification and presentation of their Physician's Report, the manager has three working days to accept or require the member to be examined by a city paid physician. If the Physician's Report requires the member to limit her working conditions, the manager must immediately determine the availability of a limited duty position and make the assignment.

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 circum-

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stances 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 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 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, s/he 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 per-

- son 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 manager, Personnel, Training, etc. Managers will also ensure that their RUs comply with all applicable laws as well as applicable bargaining agreements.

210.24 PETTY CASH

Index: Title

Refer: Petty Cash Voucher Form (Fiscal)

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, and when not exceeding \$100.00 per item.
- 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.
- 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. Petty cash reimbursement will normally be completed in one working day.
 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 will be paid in cash.
 - a) Petty Cash Vouchers for cash reimbursement will be presented to Fiscal directly.
 - b) Cash will not be sent through interoffice mail.
- f. Each RU manager will provide Fiscal with a current list of members authorized to approve Petty Cash Vouchers. Petty Cash Vouchers will not be processed unless approved by one of the individuals so indicated. See Signature Authorization forms in Dollars and Sense.
- g. Magazine subscriptions, books 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.

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

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minimum and maximum times in assignments in order to meet Bureau goals, with the approval of the Chief.

210.30 TIMEKEEPING AND OVERTIME

Index: Title; Overtime

Refer: Bargaining Units Agreements

City of Portland Personnel Rules

DIR 880.20 Court Coordination: Confirming, Compensation,

Overtime Reporting, Subpoenas

Dollars and Sense Manual

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 the Fiscal Services Division (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. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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, the member shall contact Fiscal Services Division in order to reinstate sick leave

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used pending approval of his/her claim. This process will include one of the following:

1. Bring the disability check(s) paid to the member while using sick leave to the Fiscal Services Division at that time the disability check(s) will be endorsed to the City of Portland or,
 2. Bring a personal check made out to the City of Portland to reimburse sick leave used pending claim approval.
- The proportionate sick leave accruals will then be 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 leaves and related requests 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.

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- 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 advise 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 PERSONNEL ACTION NOTICES (PAN)

Index: Title

Refer: PAN Procedure Manual (Personnel)

POLICY (210.31)

The Personnel Division (Personnel) will be responsible for the completion of PANs which are directly related to Personnel Actions to include the following:

Change of Address	LOA and LOS
Resignations	Change of Class code
Name change	Return from Layoffs
Change of PSTAT code	Notice of Vacancy
Return from LOA and LOS	Demotions
New Hires	Terminations
Layoffs	Promotions
Transfers outside the Bureau	

The Fiscal Services Division will be responsible for the completion of PAN's directly relating to monetary adjustments of payoffs of sick time, vacation, etc., to

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include the following:

- a. Annual raises.
- b. Step raises.
- c. Transfer within the Bureau.
- d. Any sick leave or vacation payoff transaction.

All PANs require the signature of the Personnel manager or his/her designee in addition to the signature of the initiator.

210.40 PERSONNEL INFORMATION REQUIRED

Index: Title

Refer: Personnel Information Update Report (Personnel)

POLICY (210.40)

All members shall 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 strictly 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

Index: Title

Refer: Hold Harmless Agreement Form (Personnel)
Insurance Coverage Information Form (Personnel)
Non Disclosure Agreement Form (Personnel)

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 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.

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.
2. Engage in extra employment designed to improve the police image (e.g., write articles for professional journals) with the approval of the Chief.
3. Engage in the sale of products of their own creativity that does not require

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- licensing, (e.g., painting, art works, unique fabrications).
- b. Non sworn members may engage in extra employment with the approval of the Chief. 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 consumed, unless specifically approved by the Chief or branch manager.
 - 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, 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 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 work-week. 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. After acting on the request, the Chief 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 1110.00 Appearance and Grooming Standards; Uniform and Equipment – Issuance and Replacement
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. Community members may report such acts through any RU manager. Members should report such acts through their RU manager. Nominators may submit copies of police reports as supportive documentation. The Award Review Committee may initiate award nominations. The Chief 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 Facilitator will schedule Committee meetings and notify its members with written information regarding nominations one week before scheduled meetings. 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. If the nominator is not satisfied with the Committee's recommendation, the nominator may contact the Division Personnel manager, or designee, 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 with their recommendations. 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.

When the awards are to be presented to members, Personnel will complete an award memorandum, signed by the Chief, titled Personnel Order – Personnel Commendation. 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 where the Chief, or designee, will present the awards.

Only the Police Star and the Unit Commendation may be awarded in conjunction with other awards. With the exception of the Medal of Valor, if the recipient has received a previous award of the same type, the applicable award bar will include a gold star. If the member has received a previous Medal of Valor, the uniform bar will include a wreath around the "V" insignia. Upon request, the Chief may authorize the wearing of awards earned during the recipient's prior law enforcement service with another agency.

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. Command rank: Three members appointed by the Chief, one of whom will be a non sworn manager.
- b. Non sworn: Two members; the Chief will select a non sworn supervisor and the non sworn Advisory Committee will select a non sworn support member.
- c. Officer rank: Five members, one selected by the commander of each precinct.
- d. Supervisory: Two members, selected by the Supervisors Advisory Committee.
- e. Investigative: One member selected by the Investigative Advisory Committee.
- f. Community: One member selected from a list of volunteers by the Chief, or designee.
- g. PIO: The Public Information Officer.
- h. Facilitator: One Personnel supervisor assigned by the Personnel manager.
- i. At large: Two Bureau or community members temporarily appointed by the Facilitator, if needed, in order to make a quorum.

A quorum will consist of eight voting members and the Facilitator. A quorum is required for the Committee to consider recommendations. If a member of the Committee has a change of rank or has three unexcused absences, the member's position will become vacant and subsequently filled by another person from that same classification.

Description of Awards – In Order of Distinction (210.90)

Medal of Valor

The Medal of Valor is the most distinguished award presented to a 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 and the nominee was aware of the hazards.
- 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. If the nominee had not acted, he/she would not be subjected to reasonable criticism.
- f. The objective was of sufficient importance to justify the risk.

Citizen Medal – Heroism (210.90)

The Citizen Medal – Heroism is the most distinguished award presented to 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 Citizen Medal – Heroism will include a medal worn on a neck ribbon, a purple miniature ribbon bar, and a framed certificate.

Police Star (210.90)

The Police Star is awarded to members who sustain a serious physical injury or dies while taking proper police action; or to a 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 Bureau or community member for an act of valor that distinguishes their action from normal service. The nominee must have demonstrated, in great degree, the qualities of selflessness, personal courage and devotion to duty, but the act was not of sufficient degree to merit the Medal of Valor. 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 valor 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.
- f. The nominee was shot at or seriously menaced but still completed the required task.
- g. The nominee rescued a person from what would have otherwise become a life-threatening situation.
- h. 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 Bureau 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.

Distinguished Service Medal (210.90)

The Distinguished Service Medal is awarded to any Bureau or community member for exceptional accomplishments, which 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 neighborhood problem that had a tremendous impact on the community.
- c. The nominee took exceptional action while assisting the community.
- d. During the course of a long-term assignment, the nominee performed in an exceptional manner (of greater significance than those acts noted for the Achievement Medal).
- e. The nominee's personnel record is free of disciplinary action, which would tend to discredit such recognition.

Achievement Medal (210.90)

The Achievement Medal is awarded to any Bureau member for achievement 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 Bureau or community member for performance(s) 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's personnel record is free of disciplinary entries, which would tend to discredit such recognition.
- e. The nominee authored law enforcement related material published in a national publication.
- f. The nominee solved a long-standing problem through his/her own initiative.
- g. The nominee performed with distinction as an Acting Sergeant, Lieutenant or Captain.

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, 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.

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 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 will sign the letter.

Certificate of Appreciation (210.90)

The Certificate of Appreciation is awarded to any community or law enforcement 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 describing the nominee’s contribution to the law enforcement effort.

Years of Service Award (210.90)

The Years of Service Award is awarded to members currently assigned to the Bureau with years of service with the City in 10, 15, 20, 25 and 30-year increments. Personnel will administer this award. RU managers will present the award to members with 10, 15 and 20 years of service. The Chief will present the award to members with 25 and 30 years of service. The Years of Service Award will consist of a distinctive pin, which designates the number of years of service to the City.

Replacement of Awards: Damaged or Lost Awards (210.90)

Past recipients of the Medal of Valor, the Meritorious Service Medal of Valor (now 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 awards nominations will ensure that an Award Nomination Application, along with all available supportive documentation, is completed and forwarded to the Award Review Committee through Personnel. 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 fill all Committee member vacancies. The Facilitator will also be responsible for reviewing personnel files and IAD files when that information applies to the case under review.

211.00 DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING (DPSST) IDENTIFICATION NUMBERS

Index: Title; Bureau Identification Numbers

POLICY (211.00)

Members' Bureau identification (I.D.) number will be the same number as assigned by DPSST. The Personnel Division is responsible for obtaining and issuing the DPSST 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

POLICY (211.20)

The Personnel Division (Personnel) will be responsible for creating a Bureau and a Division Personnel File 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. 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. 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:

- a. Completed Personnel Information Sheet.
- b. All probationary evaluation reports and semiannual evaluations (evalua-

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tions 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 (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.

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

217.00 FLAG AND NATIONAL ANTHEM

Index: Title; Anthem, National; Courtesy to the Flag; National Anthem

POLICY (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 colors will be displayed at half-staff only by order of the Chief or the Mayor.

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.

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 pro-

vide 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 Chief of Police and/or Operations Branch manager. 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 Highland Guard/Honor Guard Commander will be appointed by, and liaison with, the Operations Branch manager for approval of overtime, travel, or adjusted shift time.
 - a. Requests for the Highland Guard will be made through the Highland Guard Lieutenant, to be designated by the Operations Branch manager.
 - b. Requests for the Honor Guard will be made through the Honor Guard Lieutenant, to be designated by the Operations Branch manager.
 - 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, their RU managers, Fiscal, and the appropriate Guard lieutenants.
 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.
 3. All Honor Guard/Highland Guard participation exceeding the one-day travel time must have the approval of the Operations Branch manager.
 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

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- Operations Branch manager.
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 manager 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's Office liaison for approval and forwarding to the Operations Branch manager.

Selection Criteria

- 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's Office liaison and forwarded to the Operations Branch manager for approval.

Training

- 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, OBTAINING AND SECURITY OF

Index: Title; Roster; Security

PROCEDURE (220.10)

Personnel rosters 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.

All RUs receiving a Personnel Roster (form PRT-01) will be notified when the new roster has been received from the Print Shop. To obtain the new roster, the RU must deliver in person or send in a sealed envelope the previous month's roster to the Personnel Division (Personnel). A new printout may then be picked up or delivered

to the RU.

Rosters will be disseminated among most RUs on a bimonthly basis and will bear the date of that month. Personnel, the Chief's Office, Court Coordinator and the Police Liability manager will receive rosters on a monthly basis. During normal business hours, rosters will be available only to members who have a demonstrated need for use. 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 identified to the satisfaction of the member receiving the request.

When the PRT-02 Alphabetic Name Roster, PRT-03 Organization by Division/Precinct, PRT-04 Personnel listing by I.D. number and the PRT-06 Seniority and Position Allocation updated rosters are printed, Personnel will distribute them to all authorized units. Obsolete rosters will be destroyed by the receiving unit, except that the PRT-01 will be returned to Personnel as described above.

220.11 PERSONAL INFORMATION, CONFIDENTIALITY OF

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 AGAINST THE CITY AND BUREAU MEMBERS

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 20 or 30 days). These notices are not served via PPDS.
- b. Civil process servers are required to effect 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 and to 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, City Risk Management and Police Liability manager 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 Risk Management. Risk Management will forward a claim form to the requesting member. When completed, the form, along with a copy

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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 Management. The member will forward a copy of all documents to Police Liability manager. Upon receipt of the reports, City 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 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 Police Liability manager.

230.00 SAFETY COMMITTEES, SWORN AND NON SWORN

Index: Title; Injury/Illness Review

Refer: OAR 437-001-0765 Rules for Workplace Safety Committees

DIR 410.00 Injuries/Illness to Bureau Members

Applicable Bargaining Agreements

Safety Concern/Complaint Form (MSD)

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 Committee (SSC): The SSC will be comprised of one representative from each precinct; one representative each from Traffic, Detectives, ID and DVD; 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 Committee (NSC): The NSC will be comprised of one representative from each of the following units: Records, Detectives, Property Evidence Control, Precincts at large, ID, Data Processing, Fiscal, Chief's Office and the Management Services Division (MSD) manager. 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. Meetings and inspections will be on City time.

Each month, one member from each committee will represent their group at the other committee's meeting. The representative will be chosen at the end of each meeting. This process will help to maintain lines of communication and work to prevent duplication of efforts.

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 managers.

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. The MSD manager will notify members 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 (e.g., OSHA, BOLI).

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4. Review injuries that occur to members (Bureau injury reports will be supplied to the committee by the MSD manager).
 5. Review and publish statistical trends on losses occurring.
 6. Develop effective recommendations for corrective action to the appropriate RU manager or the Chief.
 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 line 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 investigation.
 5. Respond to the member in writing the results of the investigation and any recommendations made to management.
- c. Management, RU's 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.

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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 (EAP)

Index: Title

Refer: DIR 612.00 Death Messages

DIR 1010.10 Use of Deadly Physical Force, Including Reporting Requirements

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 (EAP) consists of a coordinator and staff who will manage programs including, but not limited to, the Volunteer Chaplains, Peer Support Team (PST), Traumatic Incident Committee (TIC), Police Alcohol Recovery Team (PART), and the current 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. Critical/traumatic incidents are situations faced by members, on or off duty, which 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 critical/traumatic incident, or when they become aware that a member is experiencing personal stress or personal issues impacting job performance. This will ensure the opportunity for comprehensively dealing with members' personal and professional well-being. The EAP phone number and coordinator's 24-hour pager number are listed in the Problem Solving Resource Guide.

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 Program
DIR 612.10 Death Messages
DIR 1010.10 Use of 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

The beneficiary is the person designated by the member as recipients of specific death benefits.

Death benefits are the financial payments made to the family to ensure financial stability following the loss of a loved one.

The Family Liaison Officer is preferably a member(s) who is close to the family and able to provide needed support without causing him/herself undue emotional stress.

The Honor Guard/Highland Guard are special units that provides assistance with funeral functions such as ushers, guards for the body, rifle salutes, bagpipers and liaisons with other agencies' Honor Guards and representatives.

The Incident Commander is the Human Resources manager, or designee, who will oversee all line-of duty death/natural death incidents and act as liaison with Chief's Office, the affected member's RU manager and the Police Liaison Officer.

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

The notification team will be at least two designees, appointed by the member's RU manager, who will follow the notification procedure.

The Police Liaison Officer will be the coordinator of 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. This member works in the Employee Assistance Program (EAP) office or as designated by the Chief.

The EAP Coordinator will coordinate the appropriate response from all EAP volunteer groups, including the Traumatic Incident Committee, Peer Support Team, Chaplains, Police Alcohol and Recovery Team.

The survivors are the immediate family members of the deceased member, including the spouse, 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 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 teletyping 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 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 and the EAP Office. The EAP office will ensure that each of the affected member(s) is contacted and provided any needed resources.
- e. EAP Coordinator will provide appropriate assistance for all PPB members who are emotionally affected by the serious injury/death of a bureau member. EAP Coordinator may provide assistance if appropriate to outside agencies.

Assistance at the Medical Facility (240.10)

- a. The Police Liaison Officer will ensure the family is greeted at the medical facility and given the updated condition of the member upon arrival.
- b. The Police Liaison Officer will work with the treating medical facility staff to ensure an appropriate waiting area is readied for the family, the Chief, and others as requested by the family. The Police Liaison Officer will also establish a separate waiting area for fellow Bureau members and friends. In addition, the Police Liaison Officer will need to establish an appropriate staging area for the media.
- c. The EAP Coordinator will ensure support is organized for all family members and affected Bureau members as needed.
- d. The Police Liaison Officer 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 Police Liaison Officer 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) replaces them. (The responsible

RU manager will temporarily designate the Family Liaison Officer, 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 Family Liaison Officer 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 Police Liaison Officer 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 Police Liaison Officer will coordinate with the Family Liaison Officer and family to lend assistance to the funeral planning process.
- c. The Police Liaison Officer will coordinate the funeral plans for the family with the Incident Commander and the available resources of the Bureau.
- d. The PIO and Police Liaison Officer will coordinate information for the media to assist the family and the Bureau.
- e. The Police Liaison Officer will coordinate in advance with the appropriate member bargaining unit, if applicable, the EAP Coordinator 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 Family Liaison Officer will keep in contact with the Police Liaison Officer about any changing plans, needs or desires of the family.
- g. The Family Liaison Officer 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 Family Liaison Officer will work with the EAP Coordinator to ensure emotional support and food are provided to the family as needed.

Bureau's Role in Funeral Planning (240.10)

- a. The Police Liaison Officer, Incident Commander, a representative from the Traffic Division, a representative from the appropriate member bargaining unit, if applicable, the Public Information Officer, and a representative from the Honor 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 Commander 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 Com-

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- mander. 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 Police Liaison Officer will provide them the necessary information.
 - h. The Identification Division 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 Commander 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 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.
 6. Expressions of sympathy in lieu of flowers.
 7. Contact person's name and phone number/pager number for visiting departments.
- b. Will arrange for the casket watch at the funeral home.
- c. Will assist the family in obtaining any clothing/uniform items needed for dressing the deceased member.
- d. Will coordinate visiting agencies.
- e. Will coordinate the ushering duties.
- f. Will obtain a flag for presentation if appropriate.
- g. Will coordinate with other agencies' Honor Guards.
- h. Will work closely with the Incident Commander to provide any further assistance as directed.

Police Liaison Officer's Role (240.10)

- a. Will ensure the families are supported and cared for by the Bureau and that the families' wishes are honored.
- b. Will coordinate with the Incident Commander and the PIO to avoid conflict with family wishes.
- c. Will be responsible for gathering information on all benefits/funeral pay-

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- ments available to the family.
- d. Will 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. Will set up and administer any special trust funds.
 - f. Will determine what the health benefits will be and if payments are necessary to continue the coverage for the family.
 - g. Will continue to contact and be a resource for the family to assist with related problems as needed.
 - h. Will communicate with the community, the family and the Bureau in the support of the family regarding any honors or special requests.
 - i. Will assist the Family Liaison Officer during the investigation and any court-related proceedings.
 - j. Will provide information to professional organizations such as COPS, Fraternal Order of Police, etc.
 - k. Will provide on-going updates to the appropriate bargaining units, i.e., Portland Police Association, Portland Police Commanding Officers Association and District Council of Trade Unions through the Incident Commander.
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260.00 REWARDS, FEES

Index: Title

PROCEDURE (260.00)

Members receiving rewards, fees 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. Fees, Rewards and Donations, Payment of:
 1. Checks for fees, 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.
 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 or designee, Fiscal Division (Fiscal)

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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 precinct/division 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

Index: Title

PROCEDURE (260.10)

Members receiving donations for a specific police program will submit the donation with an inter-office memo, through channels, to the Fiscal Services Division (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. After establishment of the account, Fiscal will forward the donation to the City Treasurer.

The Chief, the appropriate branch manager 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 and/or the responsible branch manager.

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

Index: Title

PROCEDURE (270.00)

An ordinance is a document by which the City Council is required by the City Charter to conduct its legislative and judicial business. A resolution declares the intent of the Council but does not carry the weight of law.

All requests and transactions, which require approval of the City Council, will be developed and submitted through an ordinance or resolution. The Bureau may submit ordinances of a routine nature without an emergency clause. An ordinance with an emergency clause may be effective on the same day it is considered. Therefore, planning and coordination with Fiscal Services (Fiscal) is essential in order to get the ordinance filed within the proper time frame. RU managers will be responsible for contacting Fiscal to verify when an ordinance or resolution is required.

The RU manager or initiator of the ordinance or resolution will submit a written justification, with contents for an ordinance or resolution, through channels, to their branch manager, three weeks prior to the scheduled filing date. The branch manager will insure the factual accuracy and the need for the ordinance or resolution request based upon the Bureau's budget and priorities. The branch manager will forward the ordinance or resolution request to Fiscal, after approval and signature, two weeks in advance of the scheduled filing date.

All ordinance or resolution drafts will be reviewed by, and routed through, Fiscal. Fiscal Services will notify the initiator of the ordinance or resolution of the Council's action in regards to the proposed ordinance or resolution.

280.00 FITNESS ROOM

Index: Title; Exercise Rooms; Workout Rooms

Refer: Inventory, Inspection and Maintenance Log (MSD)
Membership Agreement and Liability Release (MSD)
Portland Police Fitness Room Expenditure Form (MSD)
Portland Police Fitness Room General Rules (MSD)

PROCEDURE (280.00)

Directive Specific Definitions

Fitness Room is 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.

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Portland Police Fitness Room Trust Account is 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 instructions 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 (280.00)

Monthly payroll deductions of \$5.25 will occur for members who want payroll deduction.

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.

Four methods of revenue can occur for this account:

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- a. Monthly volunteer payroll deduction of \$5.25.
- b. Members who do not want payroll deduction must pay \$15.75 per quarter in advance.
- c. City bureau transfers.
- d. 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. Into these accounts shall go monies from fundraising efforts and petty cash deposits from the Trust Account.

Each Fitness Room Committee shall have responsibility for approval of all equipment, including equipment purchased from a fund raising 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. The Chairperson will be the member appointed by the Chief. 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's office.
- c. Assist in developing any rules or regulations necessary, beyond this directive, 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 fitness 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 Risk Management (Risk Mgmt.) 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:

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1. Inspection logs.
2. Membership Agreement and Liability Release forms.
3. Portland Police Fitness Room Expenditure form.
4. Individual fitness room rules.
5. Monthly lists of persons who have signed the membership and release 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 perform 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 catas-

trophes, 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

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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 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 PPDS, LEADS, NCIC, DMV or similar systems are not for public disclosure, nor should they be accessed for personal reasons. Questions concerning the legality and appropriateness of docu-

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ment/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 a 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. 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.

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 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.

311.20 FICTITIOUS ILLNESS OR INJURY REPORTS

Index: Title

POLICY (311.20)

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.

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: Trespass Arrest, Lobby Areas

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

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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.

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

Index: Title; Business and Personal Cards

Refer: DIR 211.00 DPSST Identification Numbers

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.

313.00 MISUSE OF OFFICIAL POSITION OR IDENTIFICATION

Index: Title

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), or for avoiding consequences of illegal acts. 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. 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. The request should identify specifically what will be photographed or used and how it will be depicted. The purpose of the advertisement 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.

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, 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

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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 effect 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's office, through channels, any offer or attempt to offer, any gift, fee, or other reimbursement that may be made in an effort to effect their official conduct.

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 civil compromise situation.

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 and Procedure

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.

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 transac-

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tion 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.

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, laws of the U.S. 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 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 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

POLICY AND PROCEDURE

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

Index: Title

POLICY (315.30)

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, TOBACCO, AND CONTROLLED SUBSTANCES

Index: Title; On Duty Use of Alcoholic Beverages; Off Duty Use of Alcoholic Beverages; Alcoholic Beverages and Drugs In Police Installations; Possession and Use of Controlled Substances; Smoking and Tobacco Products

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. Mem-

bers 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 beverage on their breath, or about their person, upon reporting for duty. Members will not consume alcohol in uniform, unless they are off duty and at an event where it is permitted by the Chief. Members in uniform will not consume intoxicants to the extent that their driving ability is impaired.

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

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 recommended 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 use tobacco products while inside Bureau facilities (except within designated smoking areas), while within Bureau owned or leased vehicles (except those designated by RU managers), while engaged in close contact with the public, or while on post in full view of the public.

317.40 BUREAU EQUIPMENT, USE OF

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

POLICY (317.40)

Members shall utilize Bureau equipment and property only for its intended purpose, in accordance with procedures, and shall not negligently or purposely abuse,

POLICY AND PROCEDURE

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.

330.00 INTERNAL AFFAIRS, COMPLAINT INVESTIGATION PROCESS

Index: Title; Citizen Complaints; Complaint, Internal Affairs; Investigation

Refer: ORS 810.410 Arrest and Citation

DIR 342.00 Personnel Performance Deficiencies and Non-Internal Affairs Rules Violations

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 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 work to 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/community relationship and quality of service are identified.

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

IPR is responsible for receiving and numbering all 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 policy changes in police practice and policy.

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.

Receiving Complaints and the Intake Process (330.00)

Citizens may contact IPR directly or any Bureau member to lodge a complaint. Members will refer complainants to IPR, or if the citizen requests, accept and document complaint information from any person, including other members, juveniles, third parties, and anonymous sources and 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, they will refer the complainant to a supervisor. All members should attempt to resolve minor issues and complaints, if possible, at the time they are made.

Any member who observes and/or questions the propriety of another member's conduct, will document and transmit the complaint to IAD through the RU manager to be evaluated as an internal Bureau-initiated complaint. Members may communicate directly with IAD investigators regarding alleged misconduct about which they have knowledge.

All citizens' complaints against members will be assigned a number and evaluated for possible investigation by IPR. IPR will also assign numbers for Bureau-initiated complaints (such complaints, however, will be evaluated for investigation solely by IAD). IPR, after completing an intake interview of the complainant and collecting pertinent data, will forward the complaint to IAD to be evaluated for investigation.

Once a complaint is received by IAD, authority and responsibility for the processing, investigation, or referral of the complaint is delegated by the Chief to the IAD manager. When allegations of misconduct require immediate attention, supervisors will initiate the necessary investigation and make the prescribed notifications.

When a complaint is assigned by IAD, the accused member's complaint history will be checked to determine if an Early Warning Notification (under DIR 345.00 Early Warning System) will be generated and forwarded to the member's RU manager.

Documentation (330.00)

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

- a. The complainants'/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.

Complaints Without Merit (330.00)

Complaints that are fallacious or without merit may be declined by the IAD manager or IPR director. Complaints that would not constitute misconduct or a rules violation, even if true, may also be declined. Either the IPR director or IAD manager will provide the complainant with a letter explaining the decision. The member who is the subject of the complaint will receive a copy, through channels, of the declination letter.

Complaint Resolution and Assignment (330.00)

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

- a. IAD Investigation: A thorough and complete investigation that may result in corrective action, which may include discipline, counseling, debriefing, or training.
- b. Service Complaint: A complaint alleging minor rules violations or the quality of service received that does not result in discipline.
- c. Mediation: A formal and facilitated meeting between the member and the complainant to discuss minor allegations of misconduct or quality of service issues. Both parties must agree to mediate.
- d. Declination: IAD and/or IPR may decline to fully investigate the complaint because it does not have merit, is frivolous, or does not articulate misconduct.
- e. Administrative: A complaint is resolved administratively by providing information, education, or referral services to the complainant.
- f. Suspension: Complaints that may be investigated but are delayed pending further information from the complainant, witness, members, or in the retrieval of evidence may be suspended by the IAD manager.

The IAD manager shall assign each complaint where it will receive the most effective resolution/treatment. Any decision regarding the resolution/treatment of a complaint is subject to review only by the Investigations Branch manager and/or Chief. Criteria to be considered in determining how a complaint will be categorized and investigated will include:

- a. If there could be a violation of criminal law.
- b. The seriousness of the alleged misconduct.

- c. Where the accused member is currently assigned.
- d. If there could be a conflict of interest.
- e. If there is a pattern of repetitive violations.
- f. Input provided by the member's RU manager.
- g. The ability of the RU to conduct an investigation.

Generally, IAD supervisors 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, and therefore, when appropriate, may assign complaints to be investigated or resolved at the unit or division level.

In some cases, IPR may choose to conduct its own investigation or participate in the IAD investigation. IAD will coordinate with IPR during IAD investigations and review processes. IPR will be notified of all findings for citizen complaints and will have primary responsibility to communicate with the complainant regarding investigation assignments, findings, and delays in investigations. IPR will notify the complainants and IAD will notify members of the outcomes of complaints.

All use of force and disparate treatment complaints that are assigned for investigation will be investigated by IAD.

IAD is responsible for the review and maintenance of records of all Internal Affairs complaints.

Police Liability Management may review closed IAD cases for compliance with policy, rules, and procedures related to the review of claims against the Bureau.

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. Service Complaints will be addressed by either of two methods:

- a. Assigned to precincts/divisions for resolution at the discretion of the IAD manager.
- b. Accepted from complainants at the precinct/division level and resolved at the direction of the RU manager as long as they can be resolved to the satisfaction of the complainant. Service Complaints that originated in a precinct or division other than IAD, and were not resolved to the complainant's satisfaction, will be sent to IAD.

The time limit on resolving all Service Complaints is ten calendar days (unless the member is unavailable due to vacation, leave, etc.) after assigned to/by the unit or RU manager.

All resolved Service Complaints will be documented on a unit/division Complaint Log form. The documentation must include the action taken to resolve the complaint. Supervisors will contact the complainant, if possible, to explain how the complaint was handled. A copy of each Complaint Log form for all Service Complaints will be forwarded to IAD. Each Service Complaint Log form will be kept on

file in IAD for two years to be considered as part of the Early Warning System and in maintaining member histories.

Mediation (330.00)

The number of cases sent for mediation is dependent upon the mediation resources.

The IAD manager will make the final determination that a complaint is appropriate for mediation. Mediation may be used for complaints that are non-repetitive, minor rules violations classified as Conduct, Courtesy, Control Holds, Disparate Treatment or Procedure.

If the IAD manager or RU manager does not feel that mediation is suitable for a specific case, or both the complainant and Bureau member do not agree to mediation, then the complaint may be investigated or handled as a Service Complaint. Mediation will not be used for use of force complaints. Qualified mediators will be managed and assigned through IPR. Mediation outcomes will not result in a finding.

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 initiated by the Bureau regarding job performance problems or minor work rule violations will be processed according to the procedures in DIR 342.00 Performance Deficiencies and Non-Internal Affairs Rule Violations.

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 manager after consulting with the RU manager.

The Captain of Personnel will be notified as soon as possible. The relief of duty must be approved by the Chief 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 may order the member to turn in his/her Bureau I.D., 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, or his designee, may elect to take the temporary personnel action of administrative transfer.

Member Responsibilities (330.00)

Members will cooperate fully and be truthful in giving statements about events under investigation. No member shall conceal information nor impede or interfere with the reporting or investigation of any complaint. Members who become aware of an internal investigation of an incident about which they have knowledge shall contact the investigator(s) with this information.

Investigator Responsibilities (330.00)

When assigned an IAD investigation the investigator will:

- a. Maintain the integrity of the case file and the confidentiality of the investigation.
- b. Conduct a complete, thorough, and objective investigation.
- c. Complete the investigation within 10 weeks of the date the complaint was received from IPR. If the investigation is not completed within this time, document in the case file the reason for the delay and contact the complainant via letter regarding the delay. If a member has been interviewed, that member must also be contacted and advised of the delay. The complainant and member will be contacted every six weeks should the delay continue. Documentation of the notifications will be included in the case file.
- d. Tape record all interviews of members and, if possible, all non-Bureau complainants or witnesses. A separate tape is required for each interview conducted. Each tape 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.
- e. Advise all involved members his/her rights as prescribed by the appropriate

bargaining agreement.

- f. Write an Individual Narrative Report for each person interviewed.
- g. Write an Investigative Summary Report, which outlines the overall results of the investigation, and, if needed, makes conclusions regarding the reliability of witnesses, and the importance and relevance of facts involved in the alleged misconduct. Investigators will not recommend a finding.
- h. Return the completed investigation, through channels, to his/her RU manager in a sealed envelope marked CONFIDENTIAL.

Note: Refer to the IAD current SOP for detailed process in conducting IAD investigations.

IAD Manager Responsibilities (330.00)

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:

- a. Review all citizens complaints received from IPR and determine how the complaints will be addressed.
- b. 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.
- c. 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.
- d. Forward the completed IAD investigation to the accused member's RU manager who is responsible for case review and finding(s). Forward a copy of the investigator's summary to the IPR director for review.
- e. Ensure the accused member's RU manager has recommended a finding on the completed investigation, that the finding cites the appropriate section of the Manual of Policy and Procedure, and the finding is supported by a preponderance of the evidence. If the IAD manager believes that the recommended finding is not supported by a preponderance of the evidence, he/she will forward the case to the Personnel Division (Personnel) manager as a controverted finding.
- f. Within two weeks of the return of a completed case, dispose of the case as follows:
 - 1. If the case involves a finding of other than sustained or controverted, close the case, make the appropriate entries and provide a letter of disposition for the complainant and accused member. Forward the letter to the IPR director who will attach a confirmation letter and mail the letters to the complainant and IAD will notify the member(s) (through channels).
 - 2. If the case involves a controverted or sustained finding, forward the com-

pleted case and findings to the Personnel manager for Review Level Committee processing. At the end of Review Level, provide notice of the outcome as noted above. The accused member(s) will be notified of the outcome by Personnel.

RU Manager Responsibilities (330.00)

IAD Investigations

- a. The IAD case will be designated CONFIDENTIAL and all reports processed accordingly. Case files will not be reviewed by the accused member(s) or complainants.
- b. Ensure that the complaint was thoroughly investigated within 10 weeks from the date it was assigned by IAD.
- c. Review the investigation for completeness.
- d. Determine which section(s) of the Manual of Policy and Procedure may have been violated based on a preponderance of the evidence.
- e. 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.
- f. 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 critique or 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.
- g. Within two weeks of the completion of the investigation or receipt of an IAD case review, return the case file, through channels, to their branch manager.
- h. If a debriefing is recommended, as long as the recommended finding is not controverted, conduct the debriefing in a timely manner. Send a memo to the appropriate branch manager, with a copy to IAD, indicating the debriefing has been completed.

Service Complaint Resolution

- a. Ensure that supervisors assigned to resolve a Service Complaint make a reasonable effort to contact and provide feedback to the complainant. Document efforts on the Complaint Log form.
- b. Instruct supervisors to critique with members the Bureau expectations of compliance with rules, complainant's perceptions of the member's behavior, and/or alternative approaches in improving service.
- c. Ensure the resolution of each Service Complaint is documented on a Complaint Log form and that a copy is forwarded to IAD.

Branch Manager Responsibilities (330.00)

- a. Evaluate cases to ensure investigations are complete, thorough, and objective.
- b. Forward completed investigations to IAD within one week if there is concurrence with the RU manager's recommendations and finding(s).
- c. Non-concurrence: If the branch manger does not concur with the finding(s) or recommendations, meet with the RU manager to clarify the issues within two weeks. If agreement cannot be reached, controvert and forward the case to the IAD manager with a request that the Review Level Committee consider the case.

Review Level Committee (330.00)

- a. Review and evaluate all sustained and controverted findings and make recommendations to the Chief on discipline, if appropriate.
- b. Recommend policy and training needs to improve performance.

Chief's Responsibilities (330.00)

- a. Determine the appropriate course of action and/or discipline.
- b. Return the case to Personnel for processing.

Personnel Manager's Responsibilities (330.00)

The Personnel manager will process the sustained or controverted complaint, ensure the prescribed actions are taken, and notify the IAD manager upon completion. Complaints involving sworn probationary members will be processed according to the procedures in this directive.

Purging of IAD Files (330.00)

- a. Unless otherwise directed by the Chief 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:
 1. Insufficient Evidence/Insufficient Evidence with a Debriefing.
 2. Exonerated/Exonerated with a Debriefing.
 3. Unfounded/Unfounded with a Debriefing.
- b. The following complaint disposition files will be maintained for two years:
 1. Declined investigations.
 2. Mediations.
 3. Service Complaints.
 4. Complaints previously investigated as Inquiries.
- c. All sustained IAD cases will be permanently retained in files, unless expunged pursuant to all the criteria listed below:
 1. Upon formal written request, through channels, by the member who is the subject of the sustained misconduct complaint.

2. When at least five years have elapsed since the incident date of the last sustained complaint.
3. When the discipline imposed, as a result of the member's conduct, resulted in discipline less than demotion or discharge.
4. Upon specific authorization of the Chief, based upon the endorsement of the member's RU manager.

IAD Complaint Categories (330.00)

- a. Force: An allegation of use of excessive or inappropriate physical force. This includes, but is not limited to, all instances where there is actual injury or an impact weapon was used.
- b. Control Techniques: An allegation that a control technique was used unreasonably or improperly. This would include control holds, hobble, aerosol restraint, take downs, and handcuffing. Temporary discomfort, skin discoloration or marks, or temporary pain are considered normal consequences of the use of a control technique.
- c. Conduct: An allegation that tends to bring reproach or discredit upon the Bureau or City. It involves behavior by a member that is unprofessional, unjustified, beyond the scope of their authority, or unsatisfactory work performance. Typically this would include violation of the Bureau's Standard of Conduct, Conform to Laws, Unsatisfactory Performance, Truthfulness, etc.
- d. Disparate Treatment: Allegations of specific actions or statements that indicate inappropriate treatment of an individual that is different from the treatment of another because of race, sex, age, national origin, sexual orientation, economic status, political or religious beliefs, mental or physical disability, etc. Allegations of this nature between members will be processed per DIR 344.00 Prohibited Discrimination and HR Administrative Rule 2.2. Allegations involving member conduct or actions toward individuals outside the Bureau will be investigated as misconduct complaints by IAD.
- e. Courtesy: Allegations relating to attitude and rude or discourteous conduct other than disparate treatment.
- f. Procedure: Allegations that an administrative or procedural requirement was not met. This normally would include DIR topics such as identification, report writing, notebook entries, and property/evidence handling.

IAD Findings for Complaints (330.00)

- a. Unfounded: Claim is unsubstantiated. The available facts of the investigation do not support the allegation.
- b. Unfounded (D) with a debriefing: While the available evidence does not support the allegations, a critique of the complaint with the member should be conducted.
- c. Exonerated: Actions of the member were within the guidelines of policy and

POLICY AND PROCEDURE

procedure.

- d. Exonerated (D) with a debriefing: While the member's actions were within guidelines and/or policy and procedures, a critique of the complaint with the member should be conducted.
- e. Insufficient Evidence: There was not enough evidence to prove or disprove the allegation(s).
- f. Insufficient Evidence (D) with a debriefing: While there is not sufficient evidence available to prove or disprove the allegations, a critique of the complaint with the member should be conducted.
- g. Sustained: Member found to be in violation of policy or procedure.
- h. Declined: The complaint is determined to be without merit, untimely, or obviously fallacious. Members are not interviewed regarding the allegation(s). Only the IAD manager or IPR director may decline a complaint.
- i. Mediation: Complaint received mediation processing.
- j. Service Complaint: Complaint is handled as a Service Complaint.
- k. Debriefing: A debriefing of the incident, with the member, may be appropriate when it could:
 - 1. Improve future service delivery.
 - 2. Explore other options or alternatives open to the member during the incident.

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 resolved in a timely manner.

341.00 DISCIPLINARY PROCESS

Index: Title

Refer: City Administrative Rules

Code of the City of Portland

DIR 330.00 Internal Affairs, Complaint Investigation Process

DIR 342.00 Personnel Performance Deficiencies and Non-Internal Affairs Rule Violations

DIR 343.00 Criminal Investigations of Portland Police Employees

DIR 344.00 Prohibited Discrimination

DIR 345.00 Early Warning System

Applicable Bargaining Agreements

POLICY (341.00)

Discipline of permanent (non-probationary) members is normally progressive,

beginning with an oral or written warning and proceeding to suspension, demotion or discharge.

Serious offenses such as, but not limited to, criminal or other unlawful acts, abuse of authority, theft, untruthfulness, excessive force, failure to follow orders or unlawful discrimination and harassment 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 promote or require some automatic progression of disciplinary measures, which applies to every disciplinary action involving permanent, non-probationary members.

It is the responsibility of every supervisor and manager to ensure that subordinate members comply with policies, procedures and rules. Supervisors and 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 manager to take appropriate action may subject the supervisor or manager to disciplinary action.

Counseling, instruction and training are not considered disciplinary action and may be used to correct minor, non-repetitive violations of rules and regulations.

Prior to any disciplinary action, a fair and thorough investigation will be conducted.

PROCEDURE (341.00)

Some of the procedures in this directive do not apply to non-permanent members and/or probationary members who may be subject only to applicable provisions in the appropriate bargaining agreement or city code.

Following the investigation, if there is a recommendation for a finding of sustained, the investigation including the recommendation for findings will be forwarded to the Personnel Division (Personnel) manager for presentation to the Review Level Committee.

The Review Level Committee is composed of the following voting members: the branch managers and the accused member's RU manager. The following may participate as non-voting members: the Human Resources Analyst, the Internal Affairs Division manager, a Deputy City Attorney, a representative of the City's Bureau of Personnel Services and (with the consent of the branch manager) the accused member's relief commander or supervisor. The branch managers and RU manager of the accused member will designate an alternate if they are not able to attend or there is no quorum (the RU manager and at least two branch managers or their designees). The Review Level Committee will meet weekly, unless there are no cases to

review or a quorum of voting members is not available. The Review Level Committee meetings will be facilitated by the Personnel manager.

The Personnel Human Resources Analyst will copy and distribute the cases to the Review Level Committee members. Review Level Committee hearings should be held within two weeks of the Personnel Human Resources Analyst's receipt of the case.

The Review Level Committee will review all cases, which involve:

- a. Investigations with a finding of sustained.
- b. A controverted finding.
- c. IPR returns for reconsideration.
- d. Allegations of discrimination.
- e. Member use of deadly force cases.
- f. A request for review by the Chief, a branch manager or the IAD manager.

The committee is responsible for seeing that all members receive fair, objective and impartial treatment. The Review Level Committee may make recommendations regarding the adequacy and completeness of the investigation, the findings of the investigation, the proper charges of the accused member and the level of discipline. If the case is a review of a member's use of deadly force, the Review Level Committee will make a recommendation to the Chief as to whether or not the use of deadly force was justified and if the member's actions were in accordance with regulations and procedures.

Before formulating any recommendations, the committee will:

- a. Review the accused member's prior disciplinary history and/or job performance.
- b. Review the findings and disposition of prior similar cases.

The committee will forward the case file and a memorandum summarizing their recommendations to the Chief, when appropriate.

During the Review Level Committee the RU manager of the accused member will:

- a. Summarize the facts of the case for the Review Level Committee.
- b. Recommended findings as they relate to specific directives.
- c. If the Review Level Committee votes for a finding of sustained, recommend the level of discipline based on the accused member's previous disciplinary record, the seriousness of the violation and the history of discipline meted out for similar violations.

In cases where discipline is recommended, the Review Level Committee will forward the case to Personnel for preparation of the appropriate documents. The RU manager of the accused member will assist the Human Resources Analyst in preparing the documents.

The Human Resources Analyst will forward the documents to the Chief within three weeks of the review level discussion.

The Human Resources Analyst will forward the Chief's findings to IAD within five weeks of the review level discussion.

Chief's Responsibilities (341.00)

- 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 Personnel for processing.
- d. Forward the case to the appropriate branch manager, if the case involves the use of deadly force and is found to be justified and in accordance with regulations and procedures.
- e. For a case where discipline is proposed, conduct (or delegate the authority to conduct) a Pre-disciplinary Mitigation Hearing.
- f. Forward documentation of imposed discipline and the investigative file to Personnel.

Personnel Human Resources Analyst Responsibilities (341.00)

- a. Obtain the accused member's previous discipline record and history of discipline meted out in prior or similar cases.
- b. Schedule Pre-disciplinary Mitigation Hearings for the Chief.
- c. Advise and assist in ensuring that all proper procedures are adhered to in administering discipline, including the Pre-disciplinary Mitigation Hearings.
- d. Coordinate with the Deputy City Attorney and the Employee Relations Office of the Bureau of Personnel Services.
- e. Assist in the preparation of appropriate documents for discipline.
- f. Ensure that copies of the final disciplinary letter are forwarded to the Bureau of Personnel Services for inclusion in the accused member's City Official Personnel Records.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (341.00)

RU managers will ensure their 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 AND NON-INTERNAL AFFAIRS RULE VIOLATIONS

Index: Title; Rule Violations

Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process

DIR 341.00 Disciplinary Process

DIR 343.00 Criminal Investigations of Police Bureau Employees

DIR 344.00 Prohibited Discrimination

Applicable Bargaining Agreements

POLICY AND PROCEDURE

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

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 will immediately notify the appropriate supervisor as listed in Procedure.

PROCEDURE (343.00)

Allegations of criminal conduct by members will be investigated as criminal complaints prior to initiation of an IAD investigation.

Any member who receives a complaint of criminal conduct by another member or who observes criminal conduct by another member will immediately notify one of the following:

- a. The reporting member's shift supervisor.
- b. The reporting member's RU manager.
- c. A branch manager.
- d. The Personnel Division manager.
- e. The 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 IAD manager is immediately notified.

Criminal Investigation Supervision and Coordination (343.00)

Upon receiving a complaint of criminal conduct by a member, the IAD manager will notify the appropriate branch manager. Based upon the nature of the allegations and scope of the criminal investigation, the Detective Division (Detectives), DVD or IAD will be assigned the criminal investigation through the appropriate branch manager. The assigned division is responsible for the supervision and coordination of the criminal investigation. If the criminal investigation is done outside IAD, a liaison role will be maintained until IAD assumes the internal administrative 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.

PPB Investigations (343.00)

The assigned RU manager will:

- a. Obtain, or cause to be obtained, a confidential PPB 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 (e.g., name, date) should be given to the Records manager (not to the numbering desk).
- b. Contact the DA's office for assignment of a Deputy District Attorney (DDA)

- to the investigation.
- c. Have IAD assign an IAD supervisory sergeant to the case.
- d. Assign appropriate criminal investigators to the case. Depending on the nature of the case, investigators may be put on detached duty to IAD or may remain in their normal assignment.
- e. Obtain appropriate clerical support.
- f. Ensure that original case reports are delivered, by hand or in a sealed envelope, to the Records manager.

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.
- c. Ensure that the constitutional and contractual rights of members are protected in accordance with laws, Bureau and DA policies.
- d. Obtain appropriate court and DA's office documents.
- e. Expedite the investigation.
- f. Discuss the investigative process and case progress with the assigned IAD supervisor.

Completion of Criminal Investigation (343.00)

Upon completion of the criminal investigation, DA's office action and/or court proceedings, the IAD manager, in consultation with the Investigations Branch manager, will determine if an IAD investigation will be initiated.

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 values and cornerstones of the Bureau.

344.00 PROHIBITED DISCRIMINATION

Index: Title; Discrimination, Prohibited; Sexual Harassment Prohibited

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,

POLICY AND PROCEDURE

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 manager.
- 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 to:
 - 1. Any supervisor within or outside the chain of command.
 - 2. Directly to the Personnel Division (Personnel), IAD, the Chief's Office, or IPR.
 - 3. Directly to 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.

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

A board member is a Bureau member or citizen serving on a Use of Force Review Board or a Performance Review Board.

A review file is a file containing copies of all of the reports and documents for a specific case.

A witness member is a member who observes, or has firsthand knowledge of, the events surrounding the matter before the board.

An involved member is the primary member involved in the matter before the board.

A due process meeting is a pre-disciplinary meeting with the Chief of Police and the involved member to discuss the members' proposed discipline.

The Performance Review and Use of Force Review Boards (335.00)

The Bureau review board process will fall under the Performance Review Board (PRB) and the Use of Force Review Board (UFRB). They will be convened as needed.

Selection Process for Board Members (335.00)

The Chief will select volunteers to form a pool of community members to serve on either board. 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. Citizen members will be required to participate in ride-alongs to maintain sufficient knowledge of police patrol procedures. The Chief will appoint members for a term of two years. The Chief will also appoint Bureau members from each rank to serve as peer members for the boards. Peer members will be asked to serve a two-year term. All Board members will serve at the discretion of the Chief. Peer member applications will be reviewed by the Services Branch chief and representatives of the Bureau's bargaining units. Their recommendations will be forwarded to the Chief for final selection.

The Review Board Coordinator will select members from the pools to form each UFRB or PRB. Pool representatives from the involved member's RU will not serve on the UFRB or PRB.

For purposes of Board business, a quorum consists of six UFRB members who must be present for the Use of Force Board and five PRB members who must be present for the PRB. The UFRB or PRB shall invite involved Bureau member(s) to be present and to participate in

providing a personal account of the incident details. If the involved member is unable to attend due to illness or emergency, the meeting may be rescheduled by the Services Branch chief.

Board Member Responsibilities (335.00)

All PRB and UFRB case files are confidential in nature. Therefore:

- a. Board members will not discuss or disclose any information or details about the cases presented to either a PRB or a UFRB without the authorization of the Services Branch chief.
- b. All PRB/UFRB case files, when not being presented to either Board, will remain in custody of the Review Board Coordinator.
- c. Case files may be reviewed by PRB and UFRB members when the Boards are not in session. The following procedures will be adhered to when doing so:
 1. The review must take place in the Review Board Coordinator/Chief's office.
 2. No materials will be removed from the Review Board Coordinator/Chief's office including case files or notes.

Performance Review Board Functions (335.00)

The PRB is to review all cases that involve:

- a. Investigations resulting in a sustained finding and the proposed discipline is suspension without pay or greater.
- b. A controverted finding.
- c. Independent Police Review returns for reconsideration.
- d. A request for review by the Chief or a Branch chief.
- e. All completed Equal Employment Opportunity investigations.
- f. 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 (335.00)

A new PRB will be convened as needed. A PRB will both be comprised of six voting members:

- a. Three Branch chiefs. The Services Branch chief will serve as the chair.

- b. One peer member.
 - 1. The peer member will hold 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.
 - 1. The citizen will be selected from a pre-approved pool of citizen volunteers.
- d. Member's RU manager.
- e. The Review Board Coordinator (non-voting member).
- f. A representative from the Bureau of Human Resources (non-voting member).
- g. A representative from the City Attorney's Office (non-voting member).

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

- a. Training Division.
- b. Investigative divisions (IAD, Detectives, Precinct).
- c. Independent Police Review.

Performance Review Board Procedures (335.00)

Discipline Process-Suspension or Greater

The Review Board Coordinator will convene a Performance Review Board when the recommendation for a sustained finding is a suspension or greater. See DIR 341.00 for procedures for Discipline Process-Less than Suspension. PRB members will have access to a copy of the investigative file and applicable directives prior to the PRB meeting.

RU manager responsibilities (335.00)

- a. During the PRB meeting, the RU manager of the involved member will:
 - 1. Present a summary of the facts of the case.
 - 2. Recommend findings as they relate to specific directives, rules or laws.
 - 3. If the PRB votes for a sustained finding, recommend the level of discipline.

Deliberations and voting (non-board members will be excused).

Board recommendations will be accomplished by a majority vote of the Board members based on their best judgment of the relevant facts and circumstances. Dissenting points of view will also be presented to the Chief by the Board chair.

If an out of policy or sustained finding is recommended by the Board, specific provisions of Bureau policies, rules or laws that have been

violated will be identified and appropriate discipline or corrective action will be recommended consistent with Bureau and City rules, including obligations under collective bargaining agreements.

Affected members' responsibilities (335.00)

- a. After presentation of the case, the involved member may come before the Board and provide an account of his/her actions with regards to the incident and allegations. This may be in written or oral format. Afterwards, the Board may ask the member clarifying questions.
- b. Deliberations and voting (Non-board members will be excused).
- c. The member will be informed of the Board's recommendation by the Board chair or designee at the conclusion of the board meeting.

Chief'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 Review Board Coordinator 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 Review Board Coordinator.

The Use of Force Review Board Functions (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.
 3. All in-custody deaths.
 4. Less lethal incidents where recommended finding is out of policy.
 5. Discretionary cases referred by the Chief or Branch chief.
- b. To determine and recommend to the Chief whether or not the level of force used by an officer was within Portland Police Bureau policies.
- c. The UFRB 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 UFRB 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 UFRB will recommend a level of discipline that is consistent with the applicable City and Bureau rules, including obligations under collective bargaining agreements.

Use of Force Review Board Composition (335.00)

A new UFRB will be convened as needed. A UFRB will be comprised of nine voting members and three advisory members:

- a. Three Branch chiefs. The Services Branch chief serves as the chair.
- b. One RU manager (non-involved RU).
- c. Two peer members.
 1. These peer members will hold the same rank/classification as the member being reviewed, and they will be selected from a pre-approved pool of Bureau representatives.
- d. Two citizen members.
 1. These citizens will be selected from a pre-approved pool of citizen volunteers.
- e. Member's RU manager.
- f. The Review Board Coordinator (non-voting member).
- g. A representative from the Bureau of Human Resources (non-voting member).
- h. A representative from the City Attorney's Office (non-voting member).

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

- a. Training Division.
- b. Division with investigative functions (IAD, Detectives, Precinct).
- c. Independent Police Review.

Use of Force Review Board Procedures (335.00)

- a. Internal Affairs Division (IAD) review:
 1. Following the Detective Division (Detectives) investigation of an officer-involved use of deadly physical force and any grand jury hearing or public inquest, the IAD manager, in coordination with the Training Division (Training), will review the officer-involved shooting, and conduct an administrative investigation as needed, to determine if the

member's actions were within Bureau policy and procedures. IAD may be asked, at the direction of the Chief's Office, to review other serious incidents with respect to the use of force (i.e., in-custody deaths, injury by an officer requiring hospitalization or less lethal incidents).

2. IAD will provide a complete investigation file, containing the Detectives investigation, IAD investigation and the written training analysis to the involved member's RU manager for case review and preparation of the After Action Report.

Use of force incidents that fit the criteria for the UFRB will be investigated by IAD. IAD will have 10 weeks (70 days) to complete the investigation. The 10 weeks start on the day after IAD receives the case file from Detectives. 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) (335.00)

- a. Review all UFRB case files sent to him/her.
 1. The review of each 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 RU.
- b. Make a finding in the case.
- c. If the finding is sustained, make a recommendation for discipline and/or corrective action.
- d. Forward the case file 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) (335.00)

- a. Review all UFRB 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 (Less than Suspension or Suspension or Greater).
 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 (335.00)

- a. Ensure that each UFRB case file sent to IAD is logged in upon receipt.
- b. Ensure that when investigation and review are complete, two copies of the file are made and sent to the Review Board Coordinator.
- c. File the original copies of all case files normally.
- d. Forward both photocopied sets to the Review Board Coordinator.

Review Board Coordinator responsibilities (335.00)

- a. Upon receipt of the Process-Suspension or Greater case files do the following:
 1. Send one case file to the suspect member's bargaining unit.
- b. Within 21 days schedule a time for the Performance Review Board to convene.
 1. The UFRB must be convened as soon as it is reasonably possible to do so.

The bargaining units' responsibilities (335.00)

- a. Review the case file 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 weeks). The 14 day review period starts on the day after the case file is received at the bargaining unit.

Training Division review:

- a. Before a Use of Force Review Board meets to review any officer involved shooting or an in-custody death, the Training manager or his/her designee will prepare a written analysis of the incident to be included in the case file. This analysis will focus on the following items:
 1. Tactics, policies, equipment and level of force used.
 2. Training provided to the member.
- b. Forward a copy of their written analysis to IAD for inclusion in the case file.

After Detectives, IAD and the Training Division have completed the investigation the following steps will be taken:

- a. IAD will prepare a review file for each case eligible to go before the Use of Force Review Board. The Review file will contain the following items:
 1. Copies of all of the reports and documents written and/or prepared for the case by Detectives.
 2. Copies of all the reports and documents written and/or prepared for the case by IAD.
 3. Copies of all the reports and documents written and/or prepared for the case by Training.
- b. The member and a representative from his/her bargaining unit will have 14 days to review the file in IAD.
- c. The IAD manager will review any discrepancies alleged by the involved member and will determine if further investigation is warranted before forwarding the case to the RU manager for findings.

Branch chief review:

- a. After receiving a completed copy of the investigation file the RU manager will have 21 days to complete their finding and forward the file to his/her Branch chief.
- b. The Branch chief will have seven days to review the findings and forward the case to IAD.
- c. IAD will review the recommendation, close the case and forward to the Review Board Coordinator.
- d. After receiving the case the Review Board Coordinator will have 21 days to schedule the convening of a Use of Force Review Board.

Review Board Coordinator (335.00)

The Review Board Coordinator is a non-sworn position assigned to the Chief's office. The Review Board Coordinator oversees the implementation and functioning of a UFRB and a PRB.

In cases where discipline is recommended, the Review Board Coordinator will, within three weeks, prepare a letter of proposed discipline that reflects the Review Board's recommended findings and discipline, to be sent to the Chief for review and signature.

- a. The Review Board Coordinator Responsibilities for a PRB.
 1. Maintenance of the Police Bureau's Discipline File. To assist in preparing for possible discipline, the Review Board Coordinator will:
 - a) Obtain member's previous discipline record.
 - b) Review the history of discipline meted out in similar circumstances, if any.

- c) Coordinate with the RU manager in the preparation of proposed Letter of Reprimand.
 - d) Assist in the administration of the Performance Review Board review process.
 - e) Schedule pre-disciplinary meetings for the Chief.
 - f) Advise and assist in ensuring that all proper procedures are adhered to in administering discipline, including the pre-disciplinary meetings.
 - g) Coordinate with the Deputy City Attorney and the Employee Relations Office of the City's Bureau of Human Resources.
 - h) Assist in the preparation of appropriate documents for discipline.
 - i) Ensure that copies of the final disciplinary letter are forwarded to the Bureau of Human Resources for inclusion in the member's City Official Personnel File.
2. In cases where discipline is recommended, the Review Board Coordinator will, within 21 days, prepare a letter of proposed discipline that reflects the PRB's recommended findings and discipline, to be sent to the Chief for review and signature.
- b. The Review Board Coordinator responsibilities for a UFRB:
- 1. Schedule UFRB meetings.
 - 2. Assist in the review process as required.
 - 3. Maintain a record of all recommendations and actions taken.
 - 4. Advise and assist in ensuring that all proper procedures are adhered to.
 - 5. Assist in the preparation of appropriate documents.
 - 6. Assist in preparation of due process meeting as necessary.
 - 7. Ensure that action items are documented.

FOR MORE INFORMATION:

Please contact Officer Eric Dinnel at 503-823-0014.

DERRICK FOXWORTH
Chief of Police

EXECUTIVE ORDER

Date: July 5, 2005

TO: All Members

RE: Changes to Directive 341.00 Discipline Process

ACTION: This directive has been significantly revised, so a complete copy is presented here for review.

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 Review Boards

DIR 342.00 Personnel Performance Deficiencies and Non-Internal Affairs Rule Violations

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, Use of Applicable Bargaining Agreements

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 are recommendations for reviewing policies, training, supervision, tactics, and equipment that were identified during the review board process.

A review file is a file containing copies of all of the reports and documents for a specific case.

A due process hearing is a pre-disciplinary meeting with the Chief of Police and the involved member to discuss the members proposed discipline.

A 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.

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:

- 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 Review Board Coordinator within seven days after completion and review by Investigations.

Bargaining units' responsibilities:

- 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 weeks). The 14 day review period starts on the day after the case file is received at the bargaining unit.

Review Board Coordinator responsibilities:

- a. Upon receipt of the Process-Suspension or Greater case files do the following:
- b. Within 21 days schedule a time for the Performance Review Board to convene.
 1. The PRB must be convened as soon as it is reasonably possible to do so.
- c. 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 Review Board Coordinator 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 Review Board Coordinator. 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 Review Board Coordinator, 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'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 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 Review Board Coordinator 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.

FOR MORE INFORMATION:

Please contact Officer Eric Dinnel at 503-823-0014.

DERRICK FOXWORTH
Chief of Police