



CITY OF PORTLAND, OREGON



Bureau of Police

Tom Potter, Mayor

Rosanne M. Sizer, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000 • Fax: 503-823-0342

Integrity • Compassion • Accountability • Respect • Excellence • Service

EXECUTIVE ORDER

DATE: September 12, 2008

TO: All Members

RE: DIR 343.00 Criminal Investigations of Police Bureau Employees

ACTION: This directive has been revised to reflect the Detective Division manager's responsibilities. The entire directive is included for your review.

343.00 CRIMINAL INVESTIGATIONS OF POLICE BUREAU EMPLOYEES

Index: Title; Investigations of Police Employees, Criminal

Refer: DIR 330.00 Internal Affairs, Complaint Investigation Process

Applicable Bargaining Agreements

Internal Criminal Investigations checklist (Detectives)

POLICY (343.00)

Maintenance of the integrity, effectiveness and efficiency of the Bureau and the community policing goal of accountability can only occur when allegations of criminal law violations against members are thoroughly investigated. Any member who receives a complaint of criminal conduct by another member or who observes criminal conduct by another member, or is the subject of a criminal complaint or legal action which may affect their employment will immediately notify the appropriate supervisor as listed under the Procedure section.

PROCEDURE (343.00)

All allegations of criminal conduct by members will be referred to the Detective Division manager.

Any member who receives a complaint of criminal conduct by another member or who observes criminal conduct by another member, or who is the subject of any arrest or court action instituted against them from the scope of his/her employment or other legal actions that may affect his/her employment will immediately notify one of the following:

- a. Reporting member's shift supervisor.
- b. Reporting member's RU manager.
- c. Branch chief.
- d. Detective Division manager.
- e. IAD manager.

Members are authorized to make notification, outside their chain of command, to any of the above listed managers. Any manager who receives notification of a criminal complaint against a

member will ensure the Detective Division manager is immediately notified. The Detective Division manager is responsible for notifying the IAD manager of the criminal complaint by the next business day. The Detective Division manager and IAD manager will meet monthly to review criminal investigations of Bureau members.

Criminal Investigation Supervision and Coordination (343.00)

Upon receiving a complaint of criminal conduct by a member, the Detective Division manager will notify the Investigations Branch chief. Based upon the nature of the allegations and scope of the criminal investigation, the Detective Division (Detectives), Drugs and Vice Division (DVD) or Family Services Division (FSD) will be assigned the criminal investigation through the Investigations Branch chief. The assigned division is responsible for the supervision and coordination of the criminal investigation.

Outside Jurisdiction (343.00)

If it is determined that the alleged criminal conduct occurred in a jurisdiction other than the City of Portland, the IAD manager will be responsible for establishing a liaison with the other jurisdiction to monitor the progress of the investigation and court action. The IAD manager will notify the Investigations Branch chief on all outside criminal investigations.

Police Bureau Investigations (343.00)

The assigned RU manager will:

- a. Obtain, or cause to be obtained, a confidential Police Bureau case number from the Records Division (Records) manager or the numbering desk in the event of the absence of the manager. To aid in tracking the case, minimal information (i.e., name, date) should be given to the Records manager (not to the numbering desk).
- b. Contact the District Attorney's (DA's) office for assignment of a Deputy District Attorney (DDA) to the investigation.
- c. Assign appropriate criminal investigators to the case.
- d. Contact the Administrative Supervisor II (ASII) in Detectives and provide case number, complainant's name, involved member's name, name of investigators, and a one sentence summary of the allegation.

Investigation Supervisor's Responsibilities (343.00)

The investigator's supervisor will:

- a. Meet with the assigned DDA and criminal investigators to determine the investigative process and to coordinate investigative and judicial proceedings.
- b. Supervise the assigned investigators and review investigative reports. Upon approval of the report, the supervisor will forward copies of all reports to the IAD manager.
- c. Ensure that the constitutional and contractual rights of members are protected in accordance with laws, Bureau and DA policies.
- d. Obtain appropriate court and DA's office documents.
- e. Expedite the investigation.
- f. Provide the Detectives ASII with a bi-monthly status of the case (i.e., on going interviews, reports written, awaiting evidence, interviews or discussions with DAs, etc.).
- g. Maintain an Internal Criminal Investigations checklist to indicate where the physical case is located at any given time. The checklist is available on the Intranet.

Detective Division Manager Responsibilities (343.00)

To ensure that all Criminal Internal cases are tracked and completed, the Detective Division manager will:

- a. Maintain a Criminal Internal database that includes case number, complainant's name, involved member's name, name of investigators, case status, one sentence summary and the date investigations open and close.
- b. Meet with a representative of IPR and/or IAD monthly to reconcile databases.
- c. Provide clerical support and secure locking cabinets to assigned investigators as needed.
- d. Ensure the original case reports are delivered, by hand or in a sealed envelope, to the Records manager after the case is completed.
- e. Provide a copy of the case to IAD if the Investigations Branch chief directs after the completion of the case.

Completion of Criminal Investigation (343.00)

Upon completion of the criminal investigation, DA's office action and/or court proceedings, the RU manager in charge of the investigation will submit the investigation to the Investigations Branch chief. The Investigations Branch chief will refer the case to IAD to determine if an IAD investigation will be initiated. All original documents will be returned to the Detectives ASII for proper disbursal to Records and IAD.

RESPONSIBILITY, ACCOUNTABILITY AND CONTROL (343.00)

RU managers will ensure that members within their chain of command understand the ramifications of criminal behavior by members and the expectations and process of reporting such activity. This will be accomplished through consistent education and support of the mission, values and goals of the Bureau.

FOR MORE INFORMATION:

Please contact Marsha Palmer, Strategic Services Division, at 503-823-0264.

ROSANNE M. SIZER
Chief of Police

RMS/mp