

**Please note: This is a working draft of Directive 900.00. This is proposed language and the Bureau has not implemented any changes to the current policy at this time.*

900.00, General Reporting Guidelines

2nd Universal Review: 12/1/18 – 12/31/18 (clean view)

Refer:

- DIR 905.00, Non-Force After Action Reports
- DIR 1010.00, Use of Force
- Request for Additional Information Form (Records)
- Detective Division Standard Operating Procedure (SOP) #3, Case Privatization
- ORS §192.000, Records; Public Reports and Meetings

Definitions:

- **Police Action:** Any circumstance, on or off duty, in which a sworn member exercises or attempts to exercise police authority.
- **Significant Incident:** An event about which other members on subsequent shifts should be informed (e.g., Class A and B felony crimes with suspect information and potentially violent or dangerous situations).

Policy:

1. This policy establishes the general reporting guidelines for all police action. For member reporting requirements pertaining to non-force after action reporting, members shall adhere to the guidelines set forth in Directive 905.00, Non-Force After Action Reports. For member reporting requirements pertaining to force after action reporting, members shall adhere to the guidelines set forth in Directive 1010.00, Use of Force.

Procedure:

1. Member Reporting.
 - 1.1. Field Note-taking.
 - 1.1.1. Members should record pertinent information regarding calls in a Bureau-issued duty notebook or in the vehicle computer.
 - 1.1.2. All handwritten notebook entries shall be maintained for five years.
 - 1.1.3. Members shall promptly forward copies of handwritten notebook entries requested by the Records division in response to public records requests made to the Bureau.
 - 1.2. Report Writing.
 - 1.2.1. Member Responsibilities.
 - 1.2.1.1. Members taking any official police action, on or off duty, shall write and submit an appropriate report to cover the incident, except in cases where the coded disposition sufficiently captures the resolution of the event.
 - 1.2.1.1.1. Members shall submit reports through the current Bureau-approved electronic platform.
 - 1.2.1.2. If on duty, the member shall write a report prior to going off shift, unless a holdover is approved or the member is incapacitated.
 - 1.2.1.3. If off duty, the member shall write a report as soon as practical after the event but no later than the end of their next scheduled shift.

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- 1.2.1.4. Member reports must accurately and objectively depict the facts of each incident, the results of the member's investigation and any member action taken. Reports shall also contain reference to the disposition of any property or evidence taken into custody, the results of records searches, witness statements and/or any other pertinent information.
- 1.2.1.5. Members shall write reports that clearly, completely, concisely and accurately portray the incident being reported. Common, everyday language should be used and jargon and acronyms should be avoided. Exact quotes should be used when taking direct statements. When investigating a crime, members shall document all elements of the criminal offense
- 1.2.1.6. Members shall provide a complete chronological description of the details and results of the investigation.
- 1.2.1.7. Required templates (e.g., Mental Health text template, Stops Data Collection Report) must be fully and accurately completed as soon as practicable. These masks are subject to review by Bureau supervisors.
- 1.2.2. Supervisor Responsibilities.
 - 1.2.2.1. Supervisors shall not approve holdovers for the following reports:
 - 1.2.2.1.1. Custodies that will be arraigned the next court day
 - 1.2.2.1.2. Missing persons
 - 1.2.2.1.3. Stolen vehicles
 - 1.2.2.1.4. Recovered vehicles
 - 1.2.2.1.5. Death investigations
 - 1.2.2.1.6. Significant incident
 - 1.2.2.2. Supervisors shall ensure that member reports comply with Bureau requirements and include the necessary content.
- 1.3. Photographs
 - 1.3.1. Members who photographically document crime scenes and injuries to victims/suspects shall do so in accordance with Directive 640.02, Photography and Digital Imaging.
 - 1.3.2. Members who obtain photographs during their investigations shall document that fact and shall submit the photographs in accordance with Directive 660.10, Property and Evidence Procedure.
- 1.4. Case Management.
 - 1.4.1. Members shall conduct appropriate case follow up.
 - 1.4.2. Members shall ensure cases are closed or suspended when appropriate.
- 2. Report Review.
 - 2.1. If the supervisor determines that a report is insufficient, the supervisor shall, if feasible, ensure that the member corrects the report before the end of shift. If the member is not able to complete the correction prior to the end of shift, the member shall complete the report as soon as possible upon their return to duty.
 - 2.1.1. When a member submits a deficient report, the supervisor shall discuss the error(s) with the member as soon as practicable.

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2.2. The Records Division (Records) or an investigative unit/detail may initiate a request for additional information by submitting a request form to the Responsibility Unit (RU) Manager.

2.2.1. Members shall submit the completed supplemental form as soon as practicable. .

2.3. Privatization of Reports.

2.3.1. When feasible, members should privatize only cases where the release of critical or sensitive information could jeopardize the investigation or the safety of an individual. Members should refer to the Detective Division SOP #3, Case Privatization for additional guidance.

2.3.2. Members must balance the decision to privatize cases and critical information against maintaining transparency within the Bureau case management system.

2.3.3. Members shall un-privatize cases as soon as practicable to facilitate internal case review and management.

2.3.4. Copies of privatized reports shall be released only for law enforcement purposes upon authorization of the investigator assigned to the case or of a supervisory sergeant in the investigative unit concerned. The assigned investigator must give Records access to the report. The investigator shall authorize involved units or specific personnel to access their assigned privatized reports.

2.3.5. Members should be aware that the choice to privatize a document will not necessarily deem it confidential for purposes of public records requests and disclosure under Oregon law.

3. Public Records

3.1. During the course of an open investigation, police authored documents, whether privatized or not, may be privileged and need not be disclosed. After an investigation is completed, all documents, including those previously privatized, are presumed to be open to disclosure unless a legal exemption applies. Exemption applicability will be decided with the assistance of the City Attorney's Office.

3.2. Any person seeking access to a police-authored document at any time (except for law enforcement or prosecution partners) must file a request for same through the City of Portland web portal, and members are instructed to advise any person who requests police documents that they must submit a public records request through that channel.

Provide feedback [here](#).

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COMPLETE

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Q1 Please provide feedback for this directive

Directive 900.00 Feedback

COMMENTS ON FORCE, REPORTING, WEAPONS AND VEHICLE RELATED DIRECTIVES, MARCH 2018

To Chief Outlaw, Capt. Bell, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Community Oversight Advisory Board staff, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are our comments on the Directives posted for review on March 1 . We discovered them on the PPB website on March 9 and asked the Bureau whether a formal email had gone out to the community asking for input. The information was finally sent out on March 23. While the Bureau has signalled its intention (in Directive 010.00) to change the review timelines so there are 15 days for first reviews and 30 days for second reviews, PCW continues to think there should be longer timelines, especially for complex policies such as Use of Force (1010.00).

Of the seven policies up for review, we previously commented on five in July 2017, one (630.60-Vehicle Disposition) in October 2014, and one (630.05-Vehicle Interventions and Pursuits) in August 2015. With the exception of 630.05, most of these comments are repeats of ones we made previously that the Bureau has chosen to reject or ignore. As noted last year, our primary concern with 1010.00 is that it defines de-escalation both as lowering tension at a scene and using less force on a suspect. We also noted that the key promise made by the presence of the US Department of Justice around deadly force incidents-- that they should not be treated differently from other uses of force-- seems to have gone out the window. This was codified by the changes made to 1010.10 through City Council, wherein offices involved in the death of a civilian are not being required to write force reports until after a criminal investigation has ended, and if their gunfire did not result in death the Bureau is leaving such reporting up to the discretion of supervisors. As we noted last year, this is no way to build trust in the community or hold officers accountable.

We point you once again to comments we made on 1010.00 Force (and 1051.00 Taser Use) in October, 2012: .

We continue to urge the Bureau to number all of the sections of the Directives, such as the Definitions, Policy and Procedure sections (our comments here refer to the Procedure section unless otherwise noted). Interestingly, 630.60 includes just such a numbering scheme even though there are no definitions in Section 2; this shows that the Bureau was numbering the Definitions in 2014 but stopped without explanation.

DIRECTIVE 900.00 GENERAL REPORTING GUIDELINES

Among the items we noticed in 2017:

--Section 1.2.1.3, requiring reporting of an off-duty incident, calls for that report to be written "as soon as practical," where the old policy required it to be written within four hours of occurrence.

--It's quite confusing that in Section 2.3 "Privatization of Reports" and Section 3 on Public Records, the term "privatized" is used to mean "make confidential." Privatization refers to taking public institutions and put them in the hands of private corporations. We continue to urge the Bureau to find a better word for the practice.

CONCLUSION

As we have stated before, Portland Copwatch appreciates the Bureau reaching out to the community for comment, but are looking forward to more of an open dialogue when the Portland Committee on Community Engaged Policing gets underway (if ever). We continue to urge the Bureau to be open to revising its timelines for review to ensure meaningful public input can take place. One of the only reasons we were able to tackle these rather long Directives is that we had made comments on them earlier. Our commentary would be much shorter if we could just be thanking the Bureau for adopting our advice, but such changes are few and far between.

--dan handelman and other members of
Portland Copwatch

Q2 Contact Information (optional)

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