



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor
Charles Lovell, Chief of Police

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Executive Summary Directive 0640.70, Fingerprinting and Photographing Juvenile Suspects

Introduction

The Portland Police Bureau began reviewing Directive 0640.70, Fingerprinting and Photographing Juveniles, in early 2022. The Bureau posted the directive for First Universal Review in February 2022 to seek public comments on the directive. The Bureau posted a revised draft of the directive for Second Universal Review in July 2022 to seek public comments on proposed changes.

The final revised directive contains very few updates. One change is to the title: The Bureau renamed the directive “Fingerprinting and Photographing Juvenile Suspects” for clarity and accuracy. The Bureau also streamlined language to remove alternative procedures for juveniles under age 12, and instead directs members to notify a supervisor if they bring a juvenile under age 12 to the Forensic Evidence Division (FED) for processing. Other changes include edits for brevity and clarity and removal of guidance for processing requests outside the scope of Fingerprinting and Photographing Juvenile Suspects (formerly under Other Processing Requests).

Public Comments

The Bureau received very few comments during both Universal Review periods. All comments are included later within this document. The Bureau made no changes based on comments received.

The Bureau’s Revised Policy

The Bureau made minor changes to Directive 0640.70, Fingerprinting and Photographing Juvenile Suspects to clarity and brevity.

The Bureau welcomes further comments on this directive during its next review.

This directive goes into effect on December 29, 2022. Published on December 8, 2022.

0640.70, Fingerprinting and Photographing Juvenile Offenders

Refer:

- ORS 181A.160 Fingerprints, identifying data, disposition report required upon arrest
- ORS 181A.165 Crimes for which criminal offender information is required
- ORS § 419A.250, Fingerprinting and Photographing
- ORS § 419C.080, Custody
- ORS § 419C.133, Detention of youth under 12 years of age; judicial review required
- Directive 0640.00 Identification Procedures
- Directive 0830.00, Arrest Without Warrant
- Directive 0850.30 Temporary Detention and Custody of Juveniles
- Directive 0870.25, Temporary Holding Rooms
- Juvenile Secure Custody Log Form (Chief's Office)

Policy:

1. The purpose of this directive is to establish Forensic Evidence Division procedures for fingerprinting and photographing juvenile offenders.

Procedure:

1. Custody Processing Requests:
 - 1.1. All juveniles taken into custody for any felony or class A misdemeanor shall be fingerprinted and photographed by the Forensic Evidence Division (FED), Room 1250, Justice Center.
 - 1.2. Juveniles taken into custody for class B and C misdemeanors may be fingerprinted and photographed by FED.
2. Processing:
 - 2.1. Members shall ensure that a juvenile taken into custody is fingerprinted and photographed before transporting the juvenile to the Multnomah County Juvenile Detention Hall.
 - 2.2. Before transporting and presenting the juvenile at the Forensic Evidence Division (FED) for processing, members shall notify FED by calling the FED front desk. Two (2) members must accompany and remain with the arrested juvenile at all times while in FED.
 - 2.3. The arresting officer shall notify their supervisor when a juvenile under the age of twelve (12) is brought to FED for fingerprinting and photographing.
 - 2.4. Upon arrival, members shall notify the front desk to coordinate placement of the juvenile in a FED Holding Room or Specially Designated Area; members shall not escort juveniles through FED facilities without FED approval.

- 2.5. Upon arrival to and departure from FED, members shall complete the Juvenile Secure Custody Log at the FED front desk per Directive 0850.30, Temporary Detention and Custody of Juveniles.
- 2.6. FED staff shall fingerprint and photograph juveniles at the request of investigating members, when the request complies with this directive and statutory requirements.
 - 2.6.1. In the event a disagreement arises as to whether or not the request complies with directive and/or statutory requirements, FED shall process the juvenile suspect and refer the matter to a FED supervisor.
 - 2.6.2. If it is determined that the request did not comply with directive and/or statutory requirements, the investigating member will be consulted and the fingerprints and photographs purged from the files.
 - 2.6.3. If there is a dispute, the City Attorney's Office will make the final decision as to whether documents should be destroyed.
- 2.7. FED staff shall maintain and control the release and purging of fingerprint and photograph files according to statutory requirements.
- 2.8. FED staff shall provide the Records Division (Records) with Portland Police Juvenile (PPJ) numbers.

Effective: December 29, 2022
Next Review Date: December 29, 2024

6400640.70, Fingerprinting and Photographing Juveniles~~Juvenile Offenders~~

Refer:

- ORS 181A.160 Fingerprints, identifying data, disposition report required upon arrest
 - ORS 181A.165 Crimes for which criminal offender information is required
 - ORS § 419A.250, Fingerprinting and Photographing
 - ORS § 419C.080, Custody
 - ORS § 419C.133, Detention of youth under 12 years of age; judicial review required
 - Directive 6400640.00 Identification Procedures
 - Directive 8300830.00, Arrest Without Warrant
 - Directive 8500850.30 Temporary Detention and Custody of Juveniles
 - Directive 8700870.25, Temporary Holding Rooms
 - Juvenile Secure Custody Log Form (Chief's Office)
-
- ~~Juvenile Processing Table (ID)~~
 - ~~Voluntary Fingerprint/Photo Consent Form (ID)~~

Policy:

1. The purpose of this directive is to establish Forensic Evidence Division procedures for fingerprinting and photographing juvenile offenders.

Procedure:

1. Custody Processing Requests:
 - 1.1. All juveniles ~~twelve (12) and over~~ taken into custody for any felony or class A misdemeanor shall be fingerprinted and photographed by the Forensic Evidence Division (FED), Room 1250, Justice Center. ~~Fingerprinting and photographing of juveniles under twelve (12) will be coordinated with the Multnomah County Juvenile Detention Hall (JDH) for another time.~~
 - 1.2. Juveniles ~~twelve (12) and over~~ taken into custody for class B and C misdemeanors may be fingerprinted and photographed by FED. ~~Fingerprinting and photographing of juveniles under twelve (12) will be coordinated with the Multnomah County Juvenile Detention Hall (JDH) for another time. ORS § 419C.080.~~
2. Processing:
 - 2.1. Members shall ensure that ~~fingerprinting and photographing of~~ a juvenile taken into custody is ~~done prior to~~ fingerprinted and photographed before transporting the juvenile to the ~~Juvenile Reception Center, to the~~ Multnomah County Juvenile Detention Hall, ~~or released to any other authority.~~
 - 2.2. ~~Prior to~~ Before transporting and presenting the juvenile ~~taken into custody~~ at the Forensic Evidence Division (FED) for processing, members ~~will~~ shall notify FED by calling the FED front desk. Two (2) members must accompany and remain with the arrested juvenile at all times while in FED.

2.3. ~~On the rare occasion~~The arresting officer shall notify their supervisor when a juvenile under the age of twelve (12) is brought to FED for fingerprinting and photographing,~~the FED Captain will be notified by the FED staff as soon as practical. The FED staff will inform the Captain of the age of the juvenile and the circumstances surrounding the custody.~~

2.4. Upon arrival, members ~~will check in at~~shall notify the front desk ~~so as to~~ coordinate placement of the juvenile in a FED Holding ~~cell~~Room or Specially Designated Area; members ~~will~~shall not escort juveniles through ~~the FED official area~~FED facilities without FED approval.

2.5. Upon arrival to and departure from FED, members ~~will~~shall complete the Juvenile Secure Custody Log ~~form~~ at the FED front desk per Directive ~~850~~0850.30, Temporary Detention and Custody of Juveniles.

~~2.6. Additionally, after FED departure, a notation shall be made in the police report listing the duration of detention and if the juvenile was handcuffed, per Directive 850.30, Temporary Detention and Custody of Juveniles.~~

2.7.2.6. FED staff ~~will~~shall fingerprint and photograph juveniles at the request of investigating members, ~~which are in compliance~~when the request complies with this directive and statutory requirements.

2.7.1.2.6.1. In the event a disagreement arises as to whether or not the request complies with directive and/or statutory requirements, FED ~~will~~shall process the juvenile suspect and refer the matter to a FED supervisor.

2.7.2.2.6.2. If it is determined that the request did not comply with directive and/or statutory requirements, the investigating member will be consulted and the fingerprints and photographs purged from the files.

2.7.3.2.6.3. If there is a dispute, the City Attorney's Office will make the final decision as to whether documents should be destroyed.

2.8.2.7. FED staff ~~will~~shall maintain and control the release and purging of fingerprint and photograph files according to statutory requirements.

2.9.2.8. FED staff ~~will~~shall provide the Records Division (Records) with Portland Police Juvenile (PPJ) numbers.

~~3. Other Processing Requests:~~

~~3.1. Juveniles may also be fingerprinted and photographed:~~

~~3.1.1. Upon consent of both the child or youth and the child or youth's parent after advice that they are not required to give such consent;~~

~~3.1.2. Upon request or consent of the child's parent alone if the child is less than ten (10) years of age, and if the law enforcement agency delivers the original photographs or fingerprints to the parent and does not make or retain any copies thereof; or~~

~~3.1.3. By order of the juvenile court. ORS § 419A.250.~~

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, February 01, 2022 7:00:27 PM
Last Modified: Tuesday, February 01, 2022 7:02:24 PM
Time Spent: 00:01:57

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Q1

Please provide feedback for this directive

Yes we need a lot more of this and it can be done through the school system. I also suggest that the Kicker money be used to buy and install cameras and a staff to take care of them

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Dis Veteran Rex Romaine Bahr**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, February 02, 2022 9:00:01 AM
Last Modified: Wednesday, February 02, 2022 9:01:39 AM
Time Spent: 00:01:38

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Q1

Please provide feedback for this directive

I fully agree that juveniles 12 and older should be photographed and fingerprinted if they break the law. Maybe at this age it will scare them enough not to do it again.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, July 06, 2022 3:36:25 PM
Last Modified: Wednesday, July 06, 2022 3:44:19 PM
Time Spent: 00:07:54

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Q1

Please provide feedback for this directive

Consider changing wording in 2.1 to make it clear that WHEN it has been determined that fingerprints and photograph will be done that it must be done before transporting to JDH. Current wording could be interpreted that fingerprinting and photos must always be done and this conflicts with 1.2 which stays that it MAY be done. Also consider adding wording to 2.3 that says to also notify FED that the juvenile is under the age of 12.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Clark**
