



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, May 5, 2026

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

5:30 pm City Council Work Session

7:00 pm City Council Regular Meeting

**City Council Executive Session
(ORS 192.660(2)(e), Real Property Transactions)
(Following the 7:00 pm Regular Meeting)**

This meeting will be live streamed at
<https://www.youtube.com/user/CityofSherwood>



5:30 PM CITY COUNCIL WORK SESSION

- 1. Clean Water Services (CWS) Rate Presentation & Cost Services Analysis Update** (Craig Sheldon, City Manager)
- 2. Roundtable with Sherwood Youth Advisory Board** (Kristen Switzer, Assistant City Manager)
- 3. 2025 Economic Development Report & Draft Jobs Housing Balance Metrics** (Eric Rutledge, Community Development Director)

7:00 PM CITY COUNCIL REGULAR SESSION

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. CONSENT AGENDA**
 - A. Approval of April 21, 2026, City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. Resolution 2026-022, Approving Sherwood Police Department Policy Updates - April 2026** (Ty Hanlon, Police Chief)
 - C. Resolution 2026-023, Authorize the renewal of the Municipal Judge's contract and an increase in compensation** (Craig Sheldon, City Manager)
- 6. CITIZEN COMMENTS**
- 7. PRESENTATIONS**
 - A. Recognition of City's Legal Intern Keegan Sanchez** (Mayor Tim Rosener)
 - B. Proclamation, National Public Works Week May 17th – 23rd, 2026** (Mayor Tim Rosener)
 - C. Proclamation, National Police Officers Week May 11th – 16th, 2026** (Mayor Tim Rosener)
- 8. PUBLIC HEARINGS**
 - A. Resolution 2026-024, Authorizing the City Manager to execute a Purchase and Sale Agreement for a 0.98-acre property located at 22468 SW Pacific Highway, Sherwood, Oregon** (Eric Rutledge, Community Development Director)

AGENDA

SHERWOOD CITY COUNCIL May 5, 2026

5:30 pm City Council Work Session

7:00 pm City Council Regular Session

**City Council Executive Session
(ORS 192.660(2)(e), Real Property
Transactions)
(Following the 7:00 pm Regular Meeting)**

**Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**

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9. CITY MANAGER REPORT

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN TO EXECUTIVE SESSION

12. EXECUTIVE SESSION

A. **ORS 192.660(2)(e), Real Property Transactions** (Ryan Adams, City Attorney)

13. ADJOURN

How to Provide Citizen Comments and Public Hearing Testimony: Citizen comments and public hearing testimony may be provided in person, in writing, or by telephone. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by e-mail to Cityrecorder@Sherwoodoregon.gov and must clearly state either (1) that it is intended as a general Citizen Comment for this meeting or (2) if it is intended as testimony for a public hearing, the specific public hearing topic for which it is intended. To provide comment by phone during the live meeting, please e-mail or call the City Recorder at Cityrecorder@Sherwoodoregon.gov or 503-625-4246 at least 24 hours in advance of the meeting start time in order to receive the phone dial-in instructions. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their names and by their city of residence." Anonymous comments will not be accepted into the meeting record.

How to Find out What's on the Council Schedule: City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, generally by the Thursday prior to a Council meeting. When possible, Council agendas are also posted at the Sherwood Library/City Hall and the Sherwood Post Office.

To Schedule a Presentation to the Council: If you would like to schedule a presentation to the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder, 503-625-4246 or Cityrecorder@Sherwoodoregon.gov

ADA Accommodations: If you require an ADA accommodation for this public meeting, please contact the City Recorder's Office at (503) 625-4246 or Cityrecorder@Sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time. Assisted Listening Devices are available on site.



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
April 21, 2026

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 5:32 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Doug Scott, and Dan Standke. (Councilor Renee Brouse was absent).
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, City Attorney Ryan Adams, Police Chief Ty Hanlon, Police Captain Corey Jentsch, Public Works Director Rich Sattler, Community Development Director Eric Rutledge, Economic Development Manager Erik Adair, Finance Director David Bodway, HR Director Lydia McEvoy, Planning Manager Sean Conrad, Planning Associate Hugo Agosto, Deputy City Recorder Colleen Resch, and City Recorder Sylvia Murphy.

OTHERS PRESENT: Sherwood Chamber of Commerce Executive Director Dave Murray, President and Chairman Chris McLaughlin, Secretary Rachel King, and Treasurer Kyle Green.

4. TOPICS:

Sherwood Chamber of Commerce Update

City Manager Craig Sheldon introduced Sherwood Chamber of Commerce Executive Director Dave Murray and asked him to introduce his executive board and provide a brief update on the upcoming year. Mr. Murray introduced President and Chairman Chris McLaughlin, Secretary Rachel King, and Treasurer Kyle Green. Mr. Murray provided a presentation (see record, Exhibit A), a handout titled Management and Information Report (see record, Exhibit B), Membership Analysis as of February 23, 2026 (see record, Exhibit C), and Organizational Value (see record, Exhibit D). He presented both the current conditions and future insights into the operations of the Chamber. He thanked the city for their ongoing partnership and continued dialogue. The Council thanked the Chamber for the presentation and agreed to another future work session for updates.

Mayor Rosener addressed the next item on the agenda.

Police Safety Fee (Commercial)

City Manager Sheldon explained that the information provided previously to the Council had been updated. He noted the purpose of the presentation was to get direction from the Council. Finance Director David Bodway provided a presentation (see record, Exhibit E) and asked Police Chief Ty Hanlon to address the patrol staffing needs discussion from the previous City Council work session on April 4, 2026. Chief Hanlon

stated the immediate ask was for 4 officers to allow 4 officers per shift. He discussed the annual cost impact for 4 new officers, approximately \$220,000 per officer, which included the officer cost and the additional technology and equipment needed. He said the overall cost over 5 years was \$5.92M and recapped potential funding strategies. Mr. Bodway explained how an Equivalent Service Unit (ESU) could be used to calculate a Police Safety Fee. He said an ESU was a standard measurement used by cities to calculate stormwater utility fees and one ESU represented the average amount of impervious surface found on a typical single-family residential property in the city, which equated to 2,640 square feet. He noted ESUs were already calculated in the city's system and using ESU's made billing fair and consistent. He provided ESU fee examples which separated nonretail from retail. Councilor Scott noted that the PowerPoint slide on page 5 incorrectly titled the table on the left as "Summary Non Large Retail" and should be "Summary Non Retail". Mr. Bodway stated that it would be corrected. Council President Young asked if the Sherwood School District (SSD) was included in the calculation for schools. Mr. Sheldon said no and explained that the SSD currently paid toward the School Resource Officers (SROs). Mayor Rosener asked for a breakdown of how many businesses were in each category. Mr. Bodway said he would provide that information. He provided examples of other cities regarding public safety fees. He provided a recommendation for potential commercial ESU charges per month for a total collection of \$684,957 to be used for 2 officers, equipment, technology and a vehicle. He asked if this was something the Council would consider further. Discussion followed. The Council provided direction to continue to pursue a potential public safety fee using ESUs on commercial properties, including graduated fees and additional data on category breakdowns. Mr. Sheldon thanked the Council for their direction. Council President Young asked about a potential public safety levy discussion and Mr. Sheldon said that discussion was needed if the Council was considering a levy in 2027.

Mayor Rosener addressed the next item on the agenda.

Review Tree Code

Community Development Director Eric Rutledge, Planning Manager Sean Conrad, and Planning Associate Hugo Agosto provided a memorandum and presentation on a potential tree code update (see record, Exhibit F). Mr. Rutledge said amending the tree code was part of the 2025-2027 Council Goals and stated HB 2138, which was effective July 17, 2025, required tree removal codes to be clear and objective when related to the development of housing. He said if the Council chooses, there could be an opportunity to update the City's tree code to achieve local priorities while also complying with the requirements of HB 2138. He stated the purpose of this work session was to discuss the scope of work for a potential tree code update. He discussed the current code in terms of development review and said the code allows trees to be removed "to accommodate the development including buildings, parking, walkways, grading, etc." He noted the code does allow the city to require preservation of specific trees or woodlands in specific cases regarding wetland, floodplain, soil stability, windfall, incompatible land uses, size, historic association, and wildlife preservation. Mr. Agosto said new developments were required to meet the minimum tree canopy standards and residential development was required to provide 40% tree canopy over site at maturity and commercial development was required to provide 30% tree canopy over site at maturity and existing trees preserved counted as double canopy credit. He said outside development review, residential properties may remove up to five trees or 10% of trees on property without a permit or replacement. He stated removal exceeding five trees or 10% required a permit and replacement of half of the trees removed. He commented regarding on street trees and said they could be removed for various reasons and exceptions to not replant were issued only if replacement would result in ongoing damage to public or private utilities that cannot be prevented through reasonable maintenance. He stated that there had been an increase in requests for street tree replacement exemptions. Mr. Rutledge asked for direction from the Council to begin a tree code update, to identify priorities, and asked if staff should complete an audit and recommend changes to comply with the

clear and objective standard requirements, should the standards be different for residential and employment land, and what key stakeholders should be engaged if a tree code update was pursued. Discussion followed regarding potential volunteer opportunities in cataloging trees. Mr. Rutledge recommended beginning with auditing the existing tree code and providing alternatives solely for residential clear and objective standards instead of an entire tree code update. The Council consensus was to move forward with Mr. Rutledge's recommendation at this time.

Mayor Rosener adjourned the work session at 7:01 pm.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:12 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Doug Scott, and Dan Standke. (Councilor Renee Brouse was absent).
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, IT Director Brad Crawford, Police Chief Ty Hanlon, Finance Director David Bodway, Community Development Director Eric Rutledge, Public Works Director Rich Sattler, HR Director Lydia McEvoy, Economic Development Manager Erik Adair, Finance Director David Bodway, Planning Manager Sean Conrad, Planning Associate Hugo Agosta, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

Mayor Rosener addressed approval of the agenda and asked for a motion.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILOR BROUSE WAS ABSENT).

Mayor Rosener addressed the next item on the agenda.

5. CONSENT AGENDA:

- A. Approval of April 7, 2026, City Council Meeting Minutes
- B. Resolution 2026-019, Authorizing the City Manager to execute a construction contract for the SW 2nd Street and SW Park Street Regional Storm Facility Rehabilitation Project
- C. Resolution 2026-020, Authorizing the City Manager to enter into an Intergovernmental Agreement with Washington County for the Recycling Modernization ACT (RMA) Contamination Reduction Program
- D. Resolution 2026-021, Authorizing the City Manager to Enter into a Contract with Talbot, Korvola & Warwick, LLP for Municipal Audit Services

MOTION: FROM COUNCILOR SCOTT TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILOR BROUSE WAS ABSENT).

6. CITIZEN COMMENTS:

None.

7. PRESENTATION:

A. Proclamation, National Library Week, April 19 – 25, 2026

Mayor Rosener read the proclamation and said Sherwood had a special library and encouraged residents to visit the library and explore the new meeting pod funded by the Sherwood Library Foundation.

B. Proclamation, National Arbor Day, April 24, 2026

Mayor Rosener read the proclamation and noted that Sherwood had been a Tree City since 2005.

Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

8. PUBLIC HEARING:

A. Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600

Community Development Director Eric Rutledge noted that this was the second reading of the ordinance and provided a presentation (see record, Exhibit G). He said this was an applicant led petition for right-of-way vacation for two easements identified as carrying public access benefits. He stated the easement was established via a 2007 land use decision for future access to an envisioned industrial park. He said due to recent lot consolidations, clear development, and property ownership patterns, it prompted the request for vacation. He stated these were industrial properties located on Oregon Street. He said the vacation would vacate two overlapping public access easements and establish a reciprocal private access easement and public utility easement. He stated staff recommended approving the right-of-way vacation and proposed replacement easements.

With no questions from the Council, Mayor Rosener opened the public hearing. With no public testimony received, Mayor Rosener closed the public hearing.

Mayor Rosener asked for additional Council questions or a motion.

MOTION: FROM COUNCILOR MAYS TO READ CAPTION AND ADOPT ORDINANCE 2026-002 VACATING TWO PUBLIC RIGHT-OF-WAY EASEMENTS OVER TAX LOT 2S129DC01600. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILOR BROUSE WAS ABSENT).

Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

B. Ordinance 2026-003, Amending sections of the Sherwood Zoning and Community Development Code to Conditionally Allow Food Carts Pods within the Light Industrial Zone District

City Attorney Ryan Adams asked each Councilor to disclose any actual or potential conflict of interest, bias or ex parte communications regarding this matter. Councilor Standke said he met with City Planners last Tuesday to discuss various zone areas within the city and stated he could be unbiased with his decision.

Councilor Mays stated his bias was he did not like food carts but said he could be fair on this issue. Councilor Giles said he spoke to the Planning Commission about this issue and the location but stated he could be fair and unbiased. Council President Young disclosed a social media communication where she informed someone that this was a potential zone amendment and not a land use application and said she could be fair and unbiased. Mayor Rosener said he had nothing to disclose, and he could be fair and unbiased. Councilor Scott did not provide comments.

Planning Associate Hugo Agosto noted that this was the second reading of the ordinance and provided a presentation (see record, Exhibit H). He said the proposed amendment would allow Food Cart Pods in Light Industrial (LI) zones as a Conditional Use Permit (CUP). He said the amendment was applicant proposed and would apply to LI zones and must be entirely sited within 550 feet of Tualatin-Sherwood Road. He referred to the applicable criteria associated with the proposed amendment and parcels affected. He said the City Council held its initial public hearing on April 7, 2026.

Councilor Mays asked when the Council adopted the food cart pod code language. Mr. Agosto replied in October 2024.

With no further questions for staff, Mayor Rosener opened the public hearing and asked the applicant to come forward. Brian Varricchione with MacKenzie Engineering came forward on behalf of the applicant ORWA, LLC. City Attorney Adams asked the applicant if he had any objection to any of the Councilor's conflict of interest they had disclosed. Mr. Varricchione replied he had no objections. He said ORWA owns properties on Century Drive and would like to have the opportunity to develop a Food Cart Pod. He said they worked collaboratively with staff to increase options for property owners in the LI zones within 550 feet of Tualatin-Sherwood Road. He commented on the benefits to the community and encouraged the Council to approve the proposed amendments as amended by the Planning Commission.

With no questions for the applicant and no public testimony received, Mayor Rosener closed the public hearing.

Councilor Mays commented that we adopted food cart pod code language over a year and a half ago and still have not received an application. He stated the food cart pod concept was a vast improvement over what was permitted or allowed in the state before. He commented on the new health requirements. He said he was not a fan of food carts or food pods, but he would support this proposal.

Councilor Giles said he supported food carts and would support this proposal.

Councilor Standke commented on the food cart pod code language and said this proposed legislation would not change the original intent but noted this was in an LI zone and he does not want this to become a precedence.

Council President Young agreed that food cart pod code language was well vetted at the time and would eventually provide the city with a nice establishment. She said she supported the legislation.

Mayor Rosener stated that he supported the proposed ordinance and appreciated the robust conversation at the first reading. He stated that limited commercial services in the industrial zones were acceptable because employees needed places to eat, etc. He stated this was a reasonable expansion to the food cart code and allowed more opportunities.

Councilor Scott said he was a proponent of food carts, and this proposed ordinance would extend the number of landowners and locations where this use would be allowed. He noted this location made sense. He asked to make a motion.

MOTION: FROM COUNCILOR SCOTT TO READ CAPTION AND ADOPT ORDINANCE 2026-003 AMENDING SECTIONS OF THE SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE TO CONDITIONALLY ALLOW FOOD CART PODS WITHIN THE LIGHT INDUSTRIAL ZONE DISTRICT. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILOR BROUSE WAS ABSENT).

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Sheldon stated the Volunteer Appreciation banquet was scheduled for Wednesday, April 29 at 6 pm and would be held at the Sherwood Arts Center.

10. COUNCIL ANNOUNCEMENTS:

Councilor Giles reported the April 28 Planning Commission meeting was cancelled.

Councilor Mays reported that he attended the Cultural Arts Commission meeting and provided a brief recap. He stated he could not attend the Volunteer Appreciation banquet and thanked all the volunteers.

Councilor Scott reported that he attended the Parks Board meeting and said the discussion included Murdock Park recommendations.

Councilor Standke reported that he attended the Traffic Safety Board meeting and provided a brief recap and said the next meeting was cancelled due to a lack of complaints submitted to the board for review. He said he attended a social justice event, as a citizen, last week at St. Anthony's and said he would request a conversation with the Council in the future.

Council President Young commented on the State of the City Address and thanked the staff for their efforts. She reported that she attended her first Sherwood Chamber of Commerce meeting as the Council Liaison. She stated that she attended a memorial for Tess Kies and said she would be missed in the community.

Mayor Rosener reported on his recent trip to Washington DC to lobby for funding and said he was optimistic about receiving funding for the downtown sewer project. He reported that Metro just released their proposals for increasing our garbage rates and removing some subsidies and said the region would have discussions with Metro. He said he was attending the League of Oregon Cities (LOC) conference tomorrow in Pendleton.

11. ADJOURN TO EXECUTIVE SESSION:

Mayor Rosener adjourned the meeting at 8:00 pm and convened an executive session.

EXECUTIVE SESSION

1. CALL TO ORDER: Mayor Rosener called the Executive Session to order at 8:02 pm.

2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Doug Scott, and Dan Standke. (Councilor Renee Brouse was absent).
3. **STAFF PRESENT:** Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, and Community Development Director Eric Rutledge.
4. **TOPICS:**
 - A. **ORS 192.660(2)(e) Real Property Transactions**
5. **ADJOURN:** Mayor Rosener adjourned the executive session at 8:16 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

FROM: Ty Hanlon, Police Chief
Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: **Resolution 2026-022, Approving Sherwood Police Department Policy Updates - April 2026**

Issue:

Should the City Council approve updates to the Police Department policy manual?

Background:

The Sherwood Police Department subscribes to Lexipol for its Police Department Policy System/Manual. That subscription includes, at a minimum, two (2) annual updates to the policy manual, generally in July and December every year. Updates also occur as a result of changes in case law, statutory changes and/or accepted best practices. Lexipol has been releasing a series of policy updates for the Sherwood Police Department Policy Manual as a result of the passage of multiple pieces of legislation by the Oregon Legislature. The April 2026 updates include several Senate and House Bill updates along with changes to language/content.

A summary of the updates are attached as Exhibit 1 to this staff report.

Lexipol law enforcement professionals and attorneys specializing in public safety law have thoroughly researched and reviewed these updates. The updates have also been reviewed and vetted by Chief Hanlon.

These updates were reviewed by the Sherwood Police Advisory Board during their regular meeting on August 21, 2025 and January 15, 2026. The Police Advisory Board recommends approval of the updates and resulting policies as attached.

The policy updates were presented to City Council via email and discussed during the April 7, 2026 Council work session, and at which time the Council agreed to have the updates moved to City Council for adoption.

Financial Impact:

No financial impact or additional funds are needed with the adoption of this resolution.

Recommendation:

Staff and the Sherwood Police Advisory Board respectfully recommend adoption of Resolution 2026-022, Approving Sherwood Police Department Policy Updates – April 2026.

Lexipol Policy Update Review Packet

Consolidated policy summary and implementation notes

City of Sherwood Police Department

Prepared for: Chief of Police

Executive Summary

Policies are organized in policy-number order, and there is a single summary section at the beginning for all changes.

Where a policy was deleted or replaced, the summary identifies that shift directly. Where a policy was revised, the summary captures the operational change described in the source packets and carries forward any implementation notes already developed for Sherwood.

Policy	Section	Primary Change
203	Training	Adds a new Career Development Program subsection within the training plan.
302	Handcuffing and Restraints	Adds policy references and updates wording in restraint-related sections for clarity.
316	Child Abuse	Updates Notification Procedure to align with amended OAR 413-015-0305.
324	Information Technology Use	Adds a reference to the new CJIS Access, Maintenance, and Security policy in Protection of Systems and Files.
336	Communications with Persons with Disabilities	Deleted in its entirety.
342	Service Animals	Prior Service Animals policy deleted in its entirety.
413	Immigration Violations	Detentions section updated and rearranged for readability and to align with amended Oregon law.
417	Criminal Organizations / Information Files	Broadens the information-file framework from a narrow temporary file model to a wider information-files model.

419	Mobile Audio Video (MAV)	Adds documented supervisory review requirements for review of MAV recordings.
420	Mobile Digital Terminal Use	Adds references to the new CJIS Access, Maintenance, and Security policy.
421	Body-Worn Cameras / Portable Audio-Video Recorders	Adds an additional responsibility in BWC Coordinator Responsibilities to address CALEA annual administrative review expectations.
431	Medical Aid and Response	Moves transporting ill and injured persons content into the new Transporting Persons in Custody policy.
500.4	Suspended, Revoked, or Canceled Driver Licenses	Expands the scope from suspended or revoked licenses to suspended, revoked, or canceled licenses.
704	Vehicle Use	Adds policy reference in Purpose and Scope.
800	Property and Evidence	Updates Inspections of the Evidence Room to address documentation requirements for inspections, audits, and inventories.
802	Records Section / Records Bureau	Requires NIBRS data reporting.
806	Protected Information	Adds references to the new CJIS Access, Maintenance, and Security policy in responsibilities, access, and security sections.
809	Jeanne Clery Campus Safety Act	Renames the policy from Jeanne Clery Campus Security Act to Jeanne Clery Campus Safety Act.
900	Temporary Custody of Adults	Adds policy reference in Purpose and Scope.
901	Custodial Searches	Adds policy reference in Purpose and Scope.
NEW	ADA Compliance	New policy replaces Communications with Persons with Disabilities.

NEW	CJIS Access, Maintenance, and Security	New policy adds agency-level guidance for use, maintenance, and security of systems accessing Criminal Justice Information.
NEW	Transporting Persons in Custody	New consolidated policy combines transport-related content previously spread across multiple policies.
1000.4 / 1000.4.1	Selection Process and Veteran Preference	Selection Process changes are primarily formatting and localization in the clean-edit packet.
1002	Special Assignments and Promotions	Adds two special-assignment positions related to CJIS Security Policy compliance.
1012	Safety Belts	Adds policy references in Purpose and Scope.
1032	Employee Speech, Expression and Social Networking	Addresses employee speech, expression, and social networking, including expectations for professionalism, confidentiality, and responsible online activity.
1036.6	Peer Support Communications	Expands confidentiality from a peer support counseling session to peer support counseling services, including individual or group services.

Policy 203 - Training

Summary of Differences

- Adds a new Career Development Program subsection within the training plan.

Operational Notes

- Agency should determine how to document and track career development expectations.

Policy 302 - Handcuffing and Restraints

Summary of Differences

- Adds policy references and updates wording in restraint-related sections for clarity.
- Deletes Notifications and relocates that content to the new Transporting Persons in Custody policy.
- Deletes or relocates some leg restraint content because it is now addressed in the new transport policy.
- Updates terminology and training language; adds best-practice content.

Policy 316 - Child Abuse

Summary of Differences

- Updates Notification Procedure to align with amended OAR 413-015-0305.
- Removes the prior cross-reporting requirement tied to law enforcement's role.

Policy 324 - Information Technology Use

Summary of Differences

- Adds a reference to the new CJIS Access, Maintenance, and Security policy in Protection of Systems and Files.
- Updates definitions, punctuation, and Internet Use language for clarity.

Policy 336 - Communications with Persons with Disabilities

Summary of Differences

- Deleted in its entirety.
- Relevant disability-related content moved to the new ADA Compliance policy.

Policy 342 - Service Animals

Summary of Differences

- Prior Service Animals policy deleted in its entirety.
- New Service Animals policy added in its place with expanded guidance based on federal standards.
- Highlights include purpose and scope, identification and use of service animals, and removal considerations.

Policy 413 - Immigration Violations

Summary of Differences

- Detentions section updated and rearranged for readability and to align with amended Oregon law.
- Supervisor Responsibilities deleted and relevant content moved into Detentions.
- Arrest Notification to Immigration and Customs Enforcement updated for clarity.
- Federal Immigration Enforcement Requests and Documentation pulled out as its own section and expanded.
- Federal Requests for Assistance deleted and relevant content moved to the new documentation section.
- Information Sharing revised and a non-applicable state citation removed.
- Immigration Detainers updated to better reflect state law.
- Non-Disclosure of Certain Information and Training updated to better align with state law.
- Training expanded to include additional topics.

Policy 417 - Criminal Organizations / Information Files

Summary of Differences

- Broadens the information-file framework from a narrow temporary file model to a wider information-files model.
- Retention becomes schedule-driven rather than a single one-year rule.
- Existing draft language should be cleaned to avoid internal contradictions and formatting artifacts.

Operational Notes

- Records should confirm retention schedules for each file type and align purge and validation procedures.

Policy 419 - Mobile Audio Video (MAV)

Summary of Differences

- Adds documented supervisory review requirements for review of MAV recordings.
- Adds a new Annual Program Review section requiring annual administrative review by the agency head.
- Policy title changes from Mobile Audio Video to Mobile Audio/Video.
- Clarifies multiple sections, including activation, cessation, storage and integrity, system standards, and technician responsibilities.
- Renames When Activation Is Not Required to Surreptitious Recording and redistributes some content.

- Local clean-edit packet also recommends a 30-day non-evidence retention minimum and an internal-investigation hold, if adopted.

Operational Notes

- If the agency adopts the clean-edit retention language, Records and IT should align vendor defaults, retention categories, and investigation-hold triggers.

Policy 420 - Mobile Digital Terminal Use

Summary of Differences

- Adds references to the new CJIS Access, Maintenance, and Security policy.
- Updates Purpose and Scope, Restricted Access and Use, and removes content already covered in Protected Information.

Policy 421 - Body-Worn Cameras / Portable Audio-Video Recorders

Summary of Differences

- Adds an additional responsibility in BWC Coordinator Responsibilities to address CALEA annual administrative review expectations.
- Updates BWC Use language for clarity.

Policy 431 - Medical Aid and Response

Summary of Differences

- Moves transporting ill and injured persons content into the new Transporting Persons in Custody policy.
- Moves sick or injured arrestee transport content into the new transport policy.
- Adds Hospital Security and Control as a new subsection.
- Updates AED User Responsibility and First-Aid Training language for clarity.

Policy 500.4 - Suspended, Revoked, or Canceled Driver Licenses

Summary of Differences

- Expands the scope from suspended or revoked licenses to suspended, revoked, or canceled licenses.
- Updates citation language to match suspended, revoked, or canceled status.
- Changes seizure wording from shall to should, allowing officer discretion.

Policy 704 - Vehicle Use

Summary of Differences

- Adds policy reference in Purpose and Scope.
- Removes transport-related inspection content and relocates it to the new Transporting Persons in Custody policy.

Policy 800 - Property and Evidence

Summary of Differences

- Updates Inspections of the Evidence Room to address documentation requirements for inspections, audits, and inventories.

Policy 802 - Records Section / Records Bureau

Summary of Differences

- Requires NIBRS data reporting.
- Removes reference to the National Law Enforcement Accountability Database (NLEAD) after its federal deactivation.

Policy 806 - Protected Information

Summary of Differences

- Adds references to the new CJIS Access, Maintenance, and Security policy in responsibilities, access, and security sections.

Policy 809 - Jeanne Clery Campus Safety Act

Summary of Differences

- Renames the policy from Jeanne Clery Campus Security Act to Jeanne Clery Campus Safety Act.
- Updates policy, procedure, program development, records collection and retention, and information dissemination language.
- Adds hazing-related reporting content and other Clery Act updates.

Policy 900 - Temporary Custody of Adults

Summary of Differences

- Adds policy reference in Purpose and Scope.
- Removes release and transfer content and relocates it to the new Transporting Persons in Custody policy.

Policy 901 - Custodial Searches

Summary of Differences

- Adds policy reference in Purpose and Scope.
- Deletes Field and Transportation Searches and relocates the content to the new Transporting Persons in Custody policy.

ADA Compliance

Summary of Differences

- New policy replaces Communications with Persons with Disabilities.
- Adds ADA Coordinator Responsibilities, Requests, Communications with Persons with Disabilities, and Field Enforcement Considerations.
- Adds website-access compliance language tied to federal web and mobile accessibility regulations.

CJIS Access, Maintenance, and Security

Summary of Differences

- New policy adds agency-level guidance for use, maintenance, and security of systems accessing Criminal Justice Information.
- Highlights include CJIS Coordinator, coordinator responsibilities, member responsibilities, and media protection, disposal, and release.

Transporting Persons in Custody

Summary of Differences

- New consolidated policy combines transport-related content previously spread across multiple policies.
- Highlights include officer responsibilities and restrictions, guidance for disabled, ill, injured, and pregnant persons in custody, interruptions and extended transports, and escapes.

Policy 1000.4 / 1000.4.1 - Selection Process and Veteran Preference

Summary of Differences

- Selection Process changes are primarily formatting and localization in the clean-edit packet.
- June Exhibit A removes the requirement to review and verify information in NLEAD.
- Veteran Preference expands to include current or former state servicemembers.

Policy 1002 - Special Assignments and Promotions

Summary of Differences

- Adds two special-assignment positions related to CJIS Security Policy compliance.

Policy 1012 - Safety Belts

Summary of Differences

- Adds policy references in Purpose and Scope.
- Deletes Transporting Suspects, Prisoners or Arrestees and moves that content to the new Transporting Persons in Custody policy.

Policy 1032 - Employee Speech, Expression and Social Networking

Summary of Differences

- Addresses employee speech, expression, and social networking by department personnel.
- Reinforces expectations for professionalism, protection of confidential information, and responsible online activity that could affect the department.
- Corrects capitalization in Definitions.

Policy 1036.6 - Peer Support Communications

Summary of Differences

- Expands confidentiality from a peer support counseling session to peer support counseling services, including individual or group services.
- Broadens confidentiality protection for related communications, notes, records, and reports.



RESOLUTION 2026-022

APPROVING SHERWOOD POLICE DEPARTMENT POLICY UPDATES – April 2026

WHEREAS, in accordance with Sherwood Municipal Code 2.36.030(B)(1), the Sherwood Police Advisory Board will review all police policy amendments and make a recommendation to the Sherwood City Council; and

WHEREAS, in accordance with Sherwood Municipal Code 2.36.030(B)(2), the Sherwood City Council will review the police policy amendments, and the recommendation by the Sherwood Police Advisory Board, and approve the amendments by resolution; and

WHEREAS, the April 2026 police policy amendments contain updates to legislative passages and language improvements; and

WHEREAS, the Sherwood Police Advisory Board reviewed the April 2026 police policy amendments during their regular meetings on August 21, 2025 and January 15, 2026 and recommends approval by the Sherwood City Council; and

WHEREAS, the City Council reviewed and discussed the amendments at their April 7, 2026 work session and the Sherwood Police Chief has reviewed all the April 2026 updates and recommends the Sherwood City Council adopt them; and

WHEREAS, the Sherwood City Council recognizes the need to maintain a current and legally sound police policy manual and approves the April 2026 police policy updates.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Council approves the April 2026 updates to the police policy manual, as shown in the attached Exhibit A.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 5th day of May, 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Agency shall administer a training program that will meet the standards of federal, state, local, and the Oregon Department of Public Safety Standards and Training (DPSST) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with DPSST rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

A training plan will be developed and maintained by the Support Captain. It is the responsibility of the Support Captain to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

- Legislative changes and changes in case law
- State-mandated training
- Prison Rape Elimination Act (PREA)
- High-liability issues training
- Training on department policies and procedures
- Trauma-informed practices (ORS 181A.445)

203.4.1 CAREER DEVELOPMENT PROGRAM

The Support Captain shall be responsible for administering the Career Development Program to provide opportunities for growth, development, and retention. Elements or activities for career development may include but are not limited to the following:

- (a) Career counseling as part of an annual evaluation process (see the Evaluations of Employees Policy)

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- (b) Tuition reimbursement benefits
- (c) Mentoring programs
- (d) Specialized training programs
- (e) On-the-job training
- (f) Supervisory training
- (g) National academy training

203.5 TRAINING NEEDS ASSESSMENT

The Training Division will conduct an annual training-needs assessment of the Agency. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

203.6 TRAINING COMMITTEE

The Support Captain may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs of the Agency.

The Training Committee should be composed of at least three members, with the senior ranking member of the committee acting as the chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Support Captain may remove or replace members of the committee at their discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury, or civil liability.
- (c) Incidents identified by the Agency as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Support Captain to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Support Captain. The recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time, and location of the incident, but should focus on the type of training being recommended.

The Support Captain will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Agency and available resources. Training recommendations as determined by the Support Captain shall be submitted to the command staff for review.

Training

203.7 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled, shall notify the member's supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 - 1. Document the member's absence in a memorandum to the member's supervisor.
 - 2. Make arrangements through the member's supervisor and the Support Captain to attend the required training on an alternate date.

203.8 TRAINING COSTS

It is the responsibility of the Support Captain to determine when the City of Sherwood Police Department may be entitled for training reimbursements when an officer has completed any portion of basic training in the last 36 months and voluntarily leaves employment and is subsequently employed by a different law enforcement agency in a position that requires the same training. If it is determined to seek reimbursement for qualifying expenses, the requests shall comply with the provisions of ORS 181A.620.

203.9 DAILY TRAINING BULLETINS

The Department may choose to utilize the Lexipol Daily Training Bulletins.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Patrol Captain. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of this agency.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Training

Supervisors will be responsible for monitoring the progress of personnel under their command to insure compliance with this policy.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The City of Sherwood Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed City of Sherwood Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances, and only when a supervisor makes an individualized

Handcuffing and Restraints

determination that such restraints are necessary for the safety of the detainee, officers, or others. See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Agency. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally.

Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be

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obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Agency shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on their stomach for an extended period, as this could reduce the person's ability to breathe.

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- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on their stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

302.9 TRAINING

The Support Captain should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Agency.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

Child Abuse

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when City of Sherwood Police Department members are required to notify the Department of Human Services (DHS) of suspected child abuse.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

316.2 POLICY

The City of Sherwood Police Department will investigate all reported incidents of alleged criminal child abuse and ensure that DHS is notified as required by law.

316.3 MANDATORY NOTIFICATION

Members of the City of Sherwood Police Department shall notify DHS when a report of child abuse is received or when there is reasonable cause to believe that a child has suffered abuse (ORS 419B.010).

For purposes of notification, a child is an unmarried person who is either (ORS 419B.005(2)):

- (a) Under 18 years of age.
- (b) A child in care as defined in ORS 418.257.

For purposes of notification, abuse of a child includes but is not limited to assault or physical injury of a non-accidental nature; rape, sexual abuse, or sexual exploitation, including contributing to the sexual delinquency of a minor; threatened harm; negligent treatment or maltreatment; buying or selling a child; unlawful exposure to a controlled substance or to the unlawful manufacturing of a cannabinoid extract; permitting a child to enter or remain in or upon premises where methamphetamines are manufactured; or any other act described in ORS 419B.005(1)(a) and OAR 413-015-0115.

316.3.1 NOTIFICATION PROCEDURE

Notification shall be made to DHS through the centralized child abuse reporting system and shall include the following, if known (ORS 419B.015):

- (a) The name, address, and age of the child
- (b) The name and address of the child's parents or other person who is responsible for care of the child

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- (c) The nature and extent of the child abuse, including any evidence of previous abuse
- (d) The explanation given for the child abuse
- (e) Any other information that may help establish the cause of the child abuse and the identity and whereabouts of the perpetrator

If the alleged child abuse occurred at a facility or was perpetrated by a person from a facility that requires a state license from the Department of Early Learning and Care (DELIC) (e.g., child care facility), notification and the outcome of the investigation shall also be reported to DELIC (ORS 419B.020).

If the alleged child abuse occurred in a school or was related to a school-sponsored activity, or amounts to sexual conduct under ORS 339.370, notification and the outcome of the investigation shall also be reported to the Department of Education (ORS 419B.020).

316.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (ORS 418.747).

316.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, an officer shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.

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- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

316.5.1 KARLY'S LAW

In all cases of suspicious physical injury to a child, the investigating officer shall, in accordance with any relevant county multidisciplinary team protocols (ORS 419B.023):

- (a) Immediately photograph or cause to be photographed any visible injuries or any injuries identified by the child if practicable, in the manner described in ORS 419B.028.
- (b) Ensure that photographs of the injuries are distributed to the designated medical professional and placed in any relevant files maintained by the Agency by the end of the next regular business day or within 48 hours, whichever occurs later (ORS 419B.028(2)).
- (c) Ensure that a designated medical professional conducts a medical assessment of the child within 48 hours or sooner, according to the child's medical needs. If a designated medical professional is unavailable for the assessment, the investigating officer shall ensure that the child is evaluated by an available physician, licensed physician assistant, or licensed nurse practitioner.

316.5.2 INVESTIGATIONS ON SCHOOL PREMISES

When an investigation of child abuse is conducted on school premises, the investigating officer shall first notify the school administrator of the investigation, unless the school administrator is a subject of the investigation. The investigator shall present identification to school staff members. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation. At the investigator's discretion, the school administrator or a school staff member designated by the school administrator may be present to facilitate the investigation. Prior to any interview with the suspected victim, the investigating officer should inquire whether the child has any disabilities that may affect the interview process. These provisions apply to an investigation that involves an interview with the suspected victim of abuse

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or witnesses and not to investigations or interviews of a person suspected of having committed the abuse (ORS 419B.045).

316.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DHS. Generally, removal of a child from the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from the child's parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DHS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (ORS 419B.150):

- (a) When there is reasonable cause to believe any of the following:
 - 1. An imminent threat of severe harm to the child exists
 - 2. The child poses an imminent threat of severe harm to self or others
 - 3. An imminent threat that the child may be removed from the jurisdiction of the juvenile court exists
- (b) When the juvenile court has issued a valid order that the child is to be taken into protective custody

316.6.1 NOTICE TO PARENTS

When an officer takes a child into protective custody, if possible, the officer shall:

- (a) Make reasonable efforts to immediately notify the child's parents or guardian, regardless of the time of day.
- (b) Advise the reason the child has been taken into custody.
- (c) Provide general information about the child's placement and the telephone number of the local DHS office, including any after-hours telephone numbers (ORS 419B.020).

316.6.2 SAFE HAVEN PROVISION

A parent may leave an infant who is not more than 60 days old at an authorized facility, including this department, as long as the child displays no signs of abuse (ORS 418.017).

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When an infant is surrendered to this department, members of the City of Sherwood Police Department shall follow the provisions set forth in ORS 418.017.

316.7 INTERVIEWS

Interviews should be conducted as follows;

316.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not involuntarily detain a child who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

316.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

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316.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

316.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Unit supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

316.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigation Unit supervisor so an interagency response can begin.

316.10 STATE MANDATES AND OTHER RELEVANT LAWS

Oregon requires or permits the following:

316.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (ORS 419B.035).

Information may be shared to the appropriate military authorities regarding a child who is the subject of a report of child abuse when the parent or guardian of the child is in the military (ORS 419B.015).

316.10.2 COUNTY MULTIDISCIPLINARY CHILD ABUSE TEAM AND PROTOCOL

The Investigation Unit supervisor should ensure that current written protocols and procedures for child abuse investigations developed by the multidisciplinary child abuse team are available to all department members (ORS 418.747).

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316.10.3 CHILD FATALITY REVIEW TEAMS

This department should cooperate with any child fatality review team and investigation (ORS 418.785).

316.10.4 DISPOSITION OF INVESTIGATION

Each investigation of child abuse shall be concluded with one of the following dispositions (ORS 419B.026):

- **Founded**
- **Unfounded**
- **Undetermined**

If the investigation determines that the child abuse allegations were founded, the investigating officer shall notify DHS by making an oral report and a written report pursuant to DHS protocols (ORS 419B.020).

316.11 TRAINING

The Agency should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Information Technology Use

324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

324.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the City of Sherwood Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Agency or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

324.2 POLICY

It is the policy of the City of Sherwood Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Agency in a professional manner and in accordance with this policy.

324.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Agency reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Agency, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

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324.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

324.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Police Chief or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Agency while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Agency and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

324.4.2 HARDWARE

Access to technology resources provided by or through the Agency shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

324.4.3 INTERNET USE

Internet access provided by or through the Agency shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums,

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pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

324.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Agency while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

324.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor. Passwords for accounts that access CJI are governed by the CJIS Access, Maintenance, and Security Policy.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

324.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Agency involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

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The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the City of Sherwood Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the City of Sherwood Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Oregon constitutions.

413.4 DETENTIONS

This department does not participate in routine immigration investigation and enforcement activities (ORS 181A.820).

An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may contact federal immigration officials to verify whether the alleged immigration violation is a federal civil violation or a federal criminal violation (ORS 181A.820(4)).

No individual who is otherwise authorized for release shall continue to be detained unless the department receives a warrant issued by a federal magistrate for the individual's arrest for a criminal violation of federal immigration laws prior to release.

An officer may arrest any person who is the subject of an arrest warrant issued by a federal magistrate for a criminal violation of federal immigration laws (ORS 181A.820).

An officer should notify a supervisor as soon as practicable whenever an individual is being arrested pursuant to a criminal immigration warrant. The supervisor should make arrangements to promptly transfer custody to federal immigration authorities.

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413.4.1 IMMIGRATION INQUIRIES PROHIBITED

An officer shall not inquire into an individual's immigration status, citizenship status, or country of birth except where allowed by law (e.g., when the information is needed to further a local or state criminal investigation) (ORS 181A.823).

413.4.2 INDIVIDUAL RIGHT NOTIFICATION

To ensure compliance with all treaty obligations, including consular notification and state and federal laws, an officer should ensure individuals who are detained receive an explanation in writing, with interpretation into another language if requested, of the following (ORS 181A.823):

- (a) The individual's right to refuse to disclose the individual's nationality, citizenship, or immigration status.
- (b) That the disclosure of the individual's nationality, citizenship, or immigration status may result in a civil or criminal immigration enforcement, including removal from the United States.

413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

An officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released shall continue to be detained solely for the purpose of notification.

413.6 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from, federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

413.6.1 IMMIGRATION DETAINEES

No individual shall be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime and the detainer is accompanied by a judicial warrant (ORS 181A.820).

413.6.2 NON-DISCLOSURE OF CERTAIN INFORMATION

Except as required by state or federal law, members shall not disclose for the purpose of enforcement of federal immigration laws the following information about a person or their known relatives or associates, whether current or otherwise (ORS 180.805):

- (a) The person's address
- (b) The person's workplace or hours of work
- (c) The person's school or school hours

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- (d) The person's contact information, including telephone number, email address, or social media account information
- (e) The identity of known associates or relatives of the person
- (f) The date, time, or location of a person's hearings, proceedings, or appointments with the Agency that are not matters of public record

413.7 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Unit supervisor assigned to oversee the handling of any related case. The Investigation Unit supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner (ORS 147.620).
 - (a) The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

413.7.1 DENIAL OF CERTIFICATION

If certification is denied, the Investigation Unit supervisor shall inform the petitioner in writing regarding the reason for the denial as provided in ORS 147.620. A copy of the notice shall be kept for a minimum of three years and in accordance with the established records retention schedule (ORS 147.620).

413.7.2 TIME FRAME FOR COMPLETION

Except under circumstances where there is good cause for delay, the Investigation Unit supervisor shall process the certification for the U visa or T visa within 90 days of the request, unless the victim is in federal immigration removal proceedings, in which case the certification shall be executed within 14 days after the request is received (ORS 147.620).

413.8 TRAINING

The Support Captain should ensure officers receive training on this policy.

Immigration Violations

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Distinguishing administrative warrants, detainers, and requests for information from judicial warrants and subpoenas.

Criminal Organizations

417.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the City of Sherwood Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

417.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

417.2 POLICY

The City of Sherwood Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

417.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Police Chief has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

417.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any

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supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Support Captain may not purge such documents without the approval of the designated supervisor.

417.4 INFORMATION FILES

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

417.4.1 FILE CONTENTS

Working, temporary, and permanent information files may only contain information and documents that will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system (OAR 137-090-0080).

Information and documents:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Section or Property and Evidence, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Dispatch records, or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

417.4.2 FILE REVIEW AND PURGING

The contents of working, temporary, and permanent information files shall be retained according to the established retention schedules (OAR 166-150-0135(25); OAR 166-200-0490(14)). At the end of the applicable retention period, the contents must be purged or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

Criminal Organizations

417.5 INFORMATION RECOGNITION

Agency members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Agency supervisors who utilize an authorized criminal intelligence system should work with the Support Captain to train members to identify information that may be particularly relevant for inclusion.

417.6 RELEASE OF INFORMATION

Agency members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

417.7 CRIMINAL STREET GANGS

The Investigation Unit supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with criminal street gangs.
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

417.8 TRAINING

The Support Captain should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

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- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or information file.
- (e) The review and purging of information files.

Mobile Audio/Video

419.1 PURPOSE AND SCOPE

The City of Sherwood Police Department may equip marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and MAV system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods and storage and retrieval methods, and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

419.2 POLICY

It is the policy of the City of Sherwood Police Department to use mobile audio/video recording technology to more effectively fulfill the mission of the Agency and to ensure these systems are used securely and efficiently.

419.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip themselves to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Agency any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only City of Sherwood Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording their name, serial number, badge or personal identification number (PIN), and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

Mobile Audio/Video

419.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the vehicle's emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record. Whenever the audio portion is activated, officers should, whenever possible, advise all persons present that they are being recorded (ORS 165.540).

419.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 - 1. Traffic stops (to include but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles
 - 5. Arrests
 - 6. Vehicle searches
 - 7. Physical or verbal confrontations or use of force
 - 8. Pedestrian checks
 - 9. Driving under the influence of intoxicants (DUI) investigations including field sobriety tests
 - 10. Consensual encounters
 - 11. Crimes in progress
 - 12. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify Dispatch
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
 - 1. Domestic violence calls
 - 2. Disturbance of the peace calls
 - 3. Offenses involving violence or weapons

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- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, or when not in service or actively on patrol.

419.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported, and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

419.4.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Police Chief or the authorized designee for the purpose of conducting a criminal or administrative investigation.

419.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Dispatch.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 1. The tracking number of the MAV system media.
 2. The date the media was issued.
 3. The name of the department member or the vehicle to which the media was issued.
 4. The date the media was submitted.
 5. The name of the department member submitting the media.
 6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic collisions), a supervisor shall respond to the scene and ensure that the appropriate person properly retrieves the recorded

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media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot, or an event that may threaten public safety, officer safety, or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

419.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images, and audio recordings are the property of the Agency. Dissemination outside of the Agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed, or otherwise inserted into any device not approved by the department MAV technician, or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) By officers for use when preparing reports or statements
- (b) By a supervisor investigating a specific act of conduct
- (c) By a supervisor to conduct documented reviews of their subordinate's MAV media at least annually to evaluate the member's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review MAV media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.
- (d) To assess proper functioning of MAV systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to their employment
- (h) By court personnel through proper process or with the permission of the Police Chief or the authorized designee
- (i) By the media through proper process
- (j) To assess possible training value
- (k) For training purposes. If an involved officer objects to showing a recording, their objection will be submitted to the command staff to determine if the training value outweighs the officer's objection.
- (l) As may be directed by the Police Chief or the authorized designee

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Members desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Shift Supervisor. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

419.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

419.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. Recording media that is not booked as evidence will be retained for a minimum of 30 days and disposed of in accordance with the established records retention schedule. Recording media used in an internal investigation shall be kept until the investigation ends, at a minimum (OAR 166-150-0135(65); OAR 166-200-0490(56)).

419.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Police Chief or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

419.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the City of Sherwood Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

419.8 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.

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- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed or otherwise inserted into any device not approved by the MAV technician or forensic media staff.

419.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing, and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.

419.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

Mobile Audio/Video

419.11 ANNUAL PROGRAM REVIEW

The MAV technician should complete an annual administrative review of the MAV program and provide it to the Police Chief for review.

Mobile Data Terminal Use

420.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use, and application of the Mobile Data Terminal (MDT) system in order to ensure proper access to confidential records from local, state, and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

420.2 POLICY

City of Sherwood Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

420.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

420.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use, Protected Information, and CJIS Access, Maintenance, and Security policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Supervisors.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks, or communications that are directly related to the business, administration, or practices of the Agency. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from their supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

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420.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

420.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

420.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

420.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Shift Supervisor are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

420.6 EQUIPMENT CONSIDERATIONS

420.6.1 MALFUNCTIONING MDT

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify Dispatch. It shall

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be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

420.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

Portable Audio/Video Recorders

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment (ORS 133.741).

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any City of Sherwood Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

421.2 POLICY

The City of Sherwood Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Agency by accurately capturing contacts between members of the Agency and the public.

421.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in their official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Agency. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

421.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/ she is equipped with a portable recorder issued by the Agency, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, SPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required

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when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

421.5 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Unless there are exigent circumstances or concerns for the safety of the member or any other person, body-worn cameras shall be activated whenever the officer has or develops reasonable suspicion or probable cause that an offense has been or will be committed by a person in contact with the member (ORS 133.741).

Members shall notify all parties to the conversation that a recording is being made unless authorized to forgo notice by a court order or the limited exceptions in ORS 165.540 and ORS 133.726 (prostitution offenses, felonies when exigency makes obtaining a warrant unreasonable, certain felony drug offenses, felonies that endanger human life) (ORS 165.540).

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize their safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

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421.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Oregon law generally prohibits any individual from surreptitiously recording any conversation, except as provided in ORS 165.540 and ORS 165.543.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Police Chief or the authorized designee.

421.5.2 CESSATION OF RECORDING

Once activated, the body-worn camera should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

421.5.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

421.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All recordings shall be retained at the Agency or by any department-approved third-party vendor.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

421.6.1 PROHIBITED USE OF BODY-WORN CAMERA RECORDINGS

Recordings from body-worn cameras shall not be analyzed with facial recognition or other biometric matching technology (ORS 133.741).

421.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

Portable Audio/Video Recorders

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

421.8 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Agency who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Police Chief or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

421.9 COORDINATOR

The Police Chief or the authorized designee should designate a coordinator responsible for:

Portable Audio/Video Recorders

- (a) Establishing procedures for the security, storage and maintenance of data and recordings.
- (b) Establishing procedures for accessing data and recordings.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.

421.10 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

Recordings made from body-worn cameras no longer needed for a court proceeding or an ongoing criminal investigation shall not be retained for more than 30 months (ORS 133.741).

421.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

421.10.2 STORAGE OF DATA BY VENDORS

Any contract with a third-party vendor for data storage of recordings from body-worn cameras must state that all recordings are the property of the City of Sherwood Police Department, not owned by the vendor, and cannot be used by the vendor for any purpose inconsistent with the policies and procedures of the City of Sherwood Police Department (ORS 133.741).

Medical Aid and Response

431.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

431.2 POLICY

It is the policy of the City of Sherwood Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

431.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Dispatch and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex, and age, if known.
 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

Medical Aid and Response

431.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are not in custody and who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

For guidelines regarding transporting ill or injured persons who are in custody, see the Transporting Persons in Custody Policy.

Members should not provide emergency escort for medical transport or civilian vehicles.

431.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

431.6 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, the arrestee should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance to an appropriate medical facility.

Medical Aid and Response

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

431.6.1 HOSPITAL SECURITY AND CONTROL

Officers who transport persons in custody to medical facilities for treatment should provide security and control during examination and treatment consistent with department protocols. Any such transport should be conducted in accordance with the Transporting Persons in Custody Policy.

The Patrol Section Section Commander should develop protocols related to the following:

- (a) Providing security and control during an examination or treatment, including:
 1. Monitoring the person in custody (e.g., guarding against escape, suicide, and assault of others)
 2. Removal of restraints, if necessary and appropriate (see the Handcuffing and Restraints Policy)
- (b) Responsibility for continuing security and control if the person in custody is admitted to the hospital
 1. This should include transferring custody of the person to an appropriate agency.

431.7 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

431.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Patrol Section Section Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Agency should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).

Medical Aid and Response

- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

431.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An AED should only be used by members who have completed a course with published standards and guidelines for CPR and the use of an AED.

431.9.1 AED USER RESPONSIBILITY

Members who are issued AEDs should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly shall be taken out of service and given to the Support Captain who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact Dispatch as soon as possible and request response by EMS.

431.9.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

431.9.3 AED TRAINING AND MAINTENANCE

The Support Captain should ensure appropriate training is provided to members authorized to use an AED.

The Support Captain is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

Medical Aid and Response

431.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocols specified by the physician who prescribed the overdose medication for use by the member.

431.10.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Support Captain.

Any member who administers an opioid overdose medication should contact Dispatch as soon as possible and request response by EMS.

431.10.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

The Support Captain will ensure that the Support Captain is provided enough information to meet applicable state reporting requirements.

431.10.3 OPIOID OVERDOSE MEDICATION TRAINING

The Support Captain should ensure training is provided to members authorized to administer opioid overdose medication.

431.11 ADMINISTRATION OF EPINEPHRINE

In an emergency situation when a licensed health care professional is not immediately available, members who have successfully completed educational training for severe allergic responses may administer epinephrine (ORS 433.825).

431.11.1 EPINEPHRINE USER RESPONSIBILITIES

Members who are qualified to administer epinephrine should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Support Captain.

Any member who administers epinephrine should contact Dispatch as soon as possible and request response by EMS.

431.11.2 EPINEPHRINE REPORTING

Any member administering epinephrine should detail its use in an appropriate report.

431.11.3 EPINEPHRINE TRAINING

The Support Captain should ensure that training is provided to members authorized to administer epinephrine (ORS 433.815; ORS 433.817; OAR 333-055-0030).

Medical Aid and Response

431.12 FIRST-AID TRAINING

The Support Captain should ensure officers receive periodic first-aid training appropriate for their position.

431.13 MEDICAL ATTENTION FOR RESTRAINED PERSONS

When an officer encounters a restrained person suffering a respiratory or cardiac compromise, the officer shall request EMS services immediately if (ORS 133.518):

- (a) It is tactically feasible to make the request.
- (b) The officer has access to communications.

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the City of Sherwood Police Department. Information provided by the Department of Motor Vehicles and Oregon Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.2.1 EDUCATION AND PREVENTION

Traffic resources that can be used for education and prevention include:

- Speed Display Signs
- Radar Trailer
- Traffic Surveys
- Community Outreach and Appearances
- Traffic Safety Campaign Materials
- Officer Interaction With the Public

Traffic Function and Responsibility

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating an officer's overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Officers attempting to enforce traffic laws shall be in City of Sherwood Police Department uniform or shall conspicuously display an official identification card showing the officer's lawful authority (ORS 810.400). Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

Officers at the scene of a traffic accident and, based upon the officer's personal investigation, having reasonable grounds to believe that a person involved in the accident has committed a traffic offense in connection with the accident, may issue the person a citation for that offense (ORS 810.410(4)).

500.3.3 PHYSICAL ARREST

Officer may arrest or issue a citation to a person for a traffic crime at any place within the state. Generally, physical arrests are limited to major traffic offenses such as:

- (a) Driving Under the Influence of Intoxicants.
- (b) Hit-and-Run.
- (c) Attempting to Elude.
- (d) Reckless Driving with extenuating circumstances.
- (e) Situations where a violator refuses or cannot satisfactorily identify him/herself and therefore cannot be issued a citation.

Traffic Function and Responsibility

500.4 SUSPENDED, REVOKED, OR CANCELED DRIVER LICENSES

If an officer contacts a traffic violator for driving on a suspended, revoked, or canceled driver license, the officer may issue a traffic citation pursuant to ORS 810.410.

If a computer check of a traffic violator's license status reveals a suspended, revoked, or canceled driver license and the traffic violator still has a license in their possession, the license should be seized by the officer and the violator may also be cited for failure to return a suspended, revoked, or canceled license, as appropriate (ORS 809.500).

500.5 HIGH-VISIBILITY VESTS

The City of Sherwood Police Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; OAR 437-002-0134).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

A high-visibility vest shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Support Captain should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

Traffic Function and Responsibility

500.6 APPROVED HIGH VISIBILITY VESTS

The approved department issued high visibility vest is bright neon green, with reflective tape and markings. The vest shall also be marked with the words "POLICE" across the back and a issued badge patch on the front left side.

Vehicle Use

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Sherwood to provide assigned take-home vehicles.

Additional guidelines for member responsibilities when transporting persons in custody may be found in the Transporting Persons in Custody Policy.

704.2 POLICY

The City of Sherwood Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Agency, requirements for tactical deployments and other considerations.

704.3 USE OF VEHICLES

704.3.1 SHIFT ASSIGNED VEHICLES

The Shift Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

704.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

704.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

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Vehicle Use

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

704.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

704.3.5 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify Dispatch. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

704.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Police Chief, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Section Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

704.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

Vehicle Use

704.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

704.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

704.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Agency vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

704.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

704.3.12 NON-SWORN MEMBER USE

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

704.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Agency vehicles may be assigned to individual members at the discretion of the Police Chief. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

704.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Police Chief or the authorized designee.

Vehicle Use

704.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Agency.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Sherwood City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

704.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the City of Sherwood is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Sherwood may be required to secure the vehicle at a designated location or the Agency at the discretion of the Police Chief.

Agency members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Police Chief or a Section Commander gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Police Chief or Section Commanders and there is a high probability that the member will be called back to duty.

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2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 3. When the member has received permission from the Police Chief or Section Commanders.
 4. When the vehicle is being used by the Police Chief, Section Commanders or members who are in on-call administrative positions.
 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Police Chief or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Agency when a member will be away (e.g., on vacation) for periods exceeding one week.
1. If the vehicle remains at the residence of the member, the Agency shall have access to the vehicle.
 2. If the member is unable to provide access to the vehicle, it shall be parked at the Agency.
- (i) The member is responsible for the care and maintenance of the vehicle.

704.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the City of Sherwood Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

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Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

704.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Agency. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Agency shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

704.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various sections and their use is restricted to the respective section and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the section for that purpose. Any use of unmarked vehicles by those who are not assigned to the section to which the vehicle is assigned shall also be recorded with the Shift Supervisor on the shift assignment roster.

704.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

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704.7 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Agency.

Property and Evidence

800.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

800.2 DEFINITIONS

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Property - Includes all items of evidence, items taken for safekeeping, and found property.

Safekeeping - Includes the following types of property:

- Property obtained by the Agency for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

800.3 PROPERTY HANDLING

Any employee who first comes into possession of any property (except found bikes), shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Found bikes shall be left in the location of discovery and not be placed into storage unless they are considered evidence to a crime. Any person who finds a bike shall be advised of their rights as finder. Care shall be taken to maintain the chain of custody for all evidence. When not specifically addressed by this manual, collection and handling of all evidence and property should follow the guidelines established by the State of Oregon Physical Evidence Manual.

Employees will provide a receipt for all items of property or evidence that are received or taken from any person. If no person is present, and the property or evidence is removed from private property or a vehicle, the employee will leave a receipt prominently placed on the private property or the vehicle.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

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800.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number in the upper right-hand corner of the bag.
- (e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
- (f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.

800.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs (including paraphernalia as defined by ORS 475.525(2)) shall be booked separately using a separate Property Record.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker accompanied by two copies of the form for the Records Section and Detectives. The remaining copy will be detached and submitted with the case report.

800.3.3 EXPLOSIVES/HAZARDOUS SUBSTANCES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Shift Supervisor. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling, and disposal of all suspected explosives. In the event of military ordnance, the closest military unit shall be notified and will be responsible for removal of the device.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property/evidence technician is responsible for transporting to the Fire Department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

800.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

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- (a) Bodily fluids such as blood or semen stains shall be air dried prior to booking and packages should be labeled with a biohazard sticker
- (b) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property/evidence technician or placed in the bicycle storage area until a property/evidence technician can log the property.
- (c) All cash shall be counted in the presence of another officer and the envelope initialed by the booking officer and second officer. A supervisor shall be contacted for cash in excess of \$1,000 for special handling procedures.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

800.3.5 COLLECTION AND PRESERVATION OF DNA EVIDENCE

Because DNA evidence can play a key role in establishing guilt or innocence, it is important that such evidence be collected, handled, and preserved in a manner that will maintain its integrity for future testing. Unless impracticable to do so, officers should collect samples of all biological evidence that may reasonably be used to incriminate or exculpate any person as part of any criminal death investigation or a sex crime listed in ORS 163A.005. The Community Services Officer will be responsible to ensure that biological evidence is preserved in an amount and manner that is sufficient to develop a DNA profile.

Collection and preservation should follow established protocols as outlined in the Oregon Physical Evidence Manual.

800.3.6 COLLECTION AND PRESERVATION OF SAFE KITS

Under current law, victims of sexual assault may seek medical assessment and choose not to make a report to law enforcement, yet still have evidence collected and preserved. The City of Sherwood Police Department will collect and maintain the chain of evidence for all Oregon State Police Sexual Assault Forensic Evidence Kits (SAFE Kits) and any associated evidence collected by medical facilities in this jurisdiction for victims of sexual assault, regardless of where the assault may have occurred. Victims who choose to remain anonymous and not make a report shall not be required to do so (ORS 147.397).

The collection and preservation of SAFE Kits from anonymous victims shall be handled by the Support Section Section, which shall assign a detective to ensure their proper collection and preservation. When a medical facility notifies this department that evidence of a sexual assault has been collected and a SAFE Kit is available, the assigned detective shall be responsible for the following:

- (a) Respond promptly to the medical facility to retrieve the evidence.
- (b) Provide a unique case number to a responsible representative of the medical facility, which will be provided to the victim. The case number will be used to identify all

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associated evidence so that a chain of evidence can be maintained in the event the victim later decides to report the assault.

- (c) Ensure that no identifying information regarding the victim, other than the case number, is visible on the evidence packaging.
- (d) Prepare and submit an evidence report and book the evidence in accordance with current evidence procedures.

A SAFE Kit collected for a victim whose identity is not disclosed should be maintained in the same manner as other SAFE Kits, but should not be opened until or unless the victim reports the assault. Opening SAFE Kits may compromise the admissibility of evidence in the event of a prosecution.

800.3.7 STORAGE OF SURRENDERED WEAPONS

Officers shall accept and store any weapons and ammunition from an individual who has been ordered by a court pursuant to an extreme risk protection order (ORS 166.527) or a protection order or judgment of conviction subject to the provisions of ORS 166.255 to surrender weapons and ammunition. The officer receiving the surrendered items shall prepare a property receipt and provide the individual with a copy. The officer should promptly forward the original receipt to the Support Captain for timely filing with the court (ORS 166.537).

800.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics and dangerous drugs
- (b) Firearms (ensure they are unloaded and booked separately from ammunition). A flex cuff or similar device should be inserted through the chamber, barrel, or cylinder whenever possible.
- (c) Property with more than one known owner
- (d) Paraphernalia as described in ORS 475.525(2)
- (e) Fireworks and other hazardous materials
- (f) Contraband

800.4.1 PACKAGING CONTAINER

Employees shall package all property in a suitable container available for its size. Knife boxes should be used to package knives. All packages containing evidence must be sealed with evidence tape, initialed, and dated across the seal.

Needles or syringes will normally be disposed of in a sharps container and will not be submitted to the Property Room; however, when required for evidence in a serious crime or in a major investigation, a syringe tube should be used for packaging.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

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800.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker, accompanied by two copies of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

800.5 RECORDING OF PROPERTY

The property/evidence technician receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the City of Sherwood Police Department shall be noted in the property logbook.

800.6 PROPERTY ROOM SECURITY

Access to the Property Room shall be tightly controlled and limited to property/evidence technicians unless visitors are logged in and out, including the time, date and purpose of entry. All personnel entering the Property Room must be accompanied at all times by a property/evidence technician.

800.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No evidence is to be released without first receiving written authorization from the assigned investigator or his/her supervisor.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the property/evidence technician. This request may be filled out any time after the booking of property or evidence.

800.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property control card and the request for laboratory analysis.

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The property/evidence technician releasing the evidence must complete the required information on the property control card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

800.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property control card, stating the date, time and to whom released.

The property/evidence technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded on the property control card, indicating date, time, and the person who returned the property.

800.6.4 RELEASE OF PROPERTY

Property may be released to a verified owner at the discretion of the property/evidence technician without further authorization. A property/evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released, the property card will remain with the property division. Upon release, the proper entry shall be documented in the Property Log.

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Property not claimed within 30 days after notification of owner of its availability for release will be auctioned, destroyed, or disposed of in accordance with these procedures and existing law.

Unless the owner is known, found property and property held for safekeeping will be held for at least 90 days.

800.6.5 RELEASE OF EVIDENCE

Evidence may only be released with the authorization of the DA's office and the officer or detective assigned to the case.

Once a case has been adjudicated or passed the statute of limitations for prosecution, a property/evidence technician will request a disposition authorization from the DA's office and the assigned

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officer or detective. Care should be taken to ensure there are no outstanding warrants for suspects or additional defendants for the same case prior to authorizing release.

Release of evidence shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the assigned officer or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Once evidence has been authorized for release and is no longer needed for any pending criminal cases, it shall be considered property and released or disposed of in accordance with those procedures.

800.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the City of Sherwood Police Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the City of Sherwood Police Department may wish to file an interpleader to resolve the disputed claim (ORCP 31).

800.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The Investigation Unit will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department.

800.6.8 RELEASE OF DEADLY WEAPONS IN EXTREME RISK PROTECTION ORDER MATTERS

If an extreme risk protection order is terminated or expires without renewal, a deadly weapon or concealed handgun license that was surrendered pursuant to the order shall be returned to the person after (ORS 166.540):

- (a) Confirming through a background check, if the deadly weapon is a firearm, that the person is legally eligible to own or possess the firearm under federal and state law; and
- (b) Confirming that the extreme risk protection order is no longer in effect.

If a third party claims lawful ownership or rightful possession to a deadly weapon that was surrendered pursuant to an extreme risk protection order, the Agency may return the weapon to the third party if the third party provides proof of ownership and affirms by sworn affidavit that (ORS 166.537(5)):

- He/she may lawfully possess the deadly weapon.
- He/she did not consent to the prior possession of the deadly weapon by the person subject to the extreme risk protection order.
- He/she will prevent the person subject to the order from accessing or possessing the deadly weapon in the future.

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A deadly weapon that remains unclaimed shall be disposed of in accordance with Agency policies and procedures for disposal of deadly weapons (ORS 166.540).

800.6.9 RELEASE OF FIREARMS IN DOMESTIC VIOLENCE PROTECTION ORDER MATTERS

If a protection order subject to the provisions of ORS 166.255 is terminated or expires without renewal, any firearms or ammunition surrendered pursuant to the order shall be returned upon the request of the respondent after the following actions are taken (ORS 166.257):

- (a) Notify the Department of Justice of the request.
- (b) Confirm that the protection order is no longer in effect.
- (c) Confirm through a background check that the respondent is legally eligible to own or possess firearms and ammunition under federal and state law.

Return of the surrendered items will take place no earlier than 72 hours after the request was received (ORS 166.257).

Firearms and ammunition that remain unclaimed shall be disposed of in accordance with department policies and procedures for disposal of deadly weapons (ORS 166.540).

800.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for 90 days or longer (60 days or more, plus 30 days after notice), where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property?evidence technician shall request a disposition or status on all property that has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective. ORS 98.245 and ORS 98.336 govern the disposition of property held by law enforcement agencies.

800.7.1 DEFINITIONS

As set out in ORS 98.245, the following definition applies to the disposition of property by law enforcement agencies:

Unclaimed Property - Personal property that was seized by the City of Sherwood Police Department as evidence, abandoned property, found property or stolen property, and that has remained in the physical possession of the City of Sherwood Police Department for a period of more than 60 days following conclusion of all criminal actions related to the seizure of the evidence, abandoned property, found property or stolen property, or conclusion of the investigation if no criminal action is filed.

800.7.2 DISPOSITION

Unclaimed property will be disposed of in accordance with the provisions of ORS 98.245. Disposal may consist of:

- (a) Destruction

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- (b) Sale at public auction
- (c) Retention for public use

800.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Property and Evidence supervisor shall ensure that no biological evidence held by the Agency is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim
- (e) The Support Section Section supervisor

Biological evidence shall be retained for a minimum period established by law (ORS 133.707), the Property and Evidence supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Agency within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Support Section Section supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Police Chief and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Support Section Section Commander should be consulted and the sexual assault victim should be notified.

The Property and Evidence supervisor should incorporate OAR 137-140-0030 et seq. as applicable to the preservation and documentation of biological evidence. Sexual assault kits, including anonymous kits, shall be retained by the Agency no less than 60 years after the collection of the evidence (ORS 181A.325).

800.8 INSPECTIONS OF THE EVIDENCE ROOM

- (a) On a quarterly basis, the supervisor of the Community Services Officer shall make a documented inspection of the evidence/property storage areas and practices to ensure adherence to appropriate policies and procedures.
- (b) Unannounced documented inspections of evidence/property storage areas shall be conducted as directed by the Police Chief.
- (c) An annual documented audit of a random sample of evidence held by the Agency shall be conducted by a Section Commander designated by the Police Chief who is not routinely or directly connected with evidence/property control.

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- (d) Whenever a change is made in personnel who have regular access to the secure areas of evidence/property storage, a documented inventory of all evidence/property shall be made by members not associated with evidence control.
- (e) If there is reason to believe evidence has been tampered with, a documented inventory of all evidence/property shall be conducted by members not associated with evidence control.
- (f) Documentation shall include a narrative with findings and will be forwarded through the chain of command to the Police Chief or the authorized designee.

Records Section

802.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the City of Sherwood Police Department Records Section. The policy addresses department file access and internal requests for case reports.

802.2 POLICY

It is the policy of the City of Sherwood Police Department to maintain department records securely, professionally, and efficiently.

802.3 RESPONSIBILITIES

802.3.1 SUPPORT CAPTAIN

The Police Chief shall appoint and delegate certain responsibilities to a Support Captain. The Support Captain shall be directly responsible to the Administration Section Commander or the authorized designee.

The responsibilities of the Support Captain include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Section.
- (b) Scheduling and maintaining Records Section time records.
- (c) Supervising, training, and evaluating Records Section staff.
- (d) Maintaining and updating a Records Section procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 1. Homicides
 2. Cases involving department members or public officials
 3. Any case where restricted access is prudent
- (h) Ensure that information is entered into the Oregon State Police Law Enforcement Data System (LEDS) from court orders received as required by Oregon law.

802.3.2 RECORDS SECTION

The responsibilities of the Records Section include but are not limited to:

- (a) Maintaining a records management system for case reports.

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1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Agency with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection), as applicable, for the following types of occurrences:
 1. Officer suicides
 2. Officer misconduct
 3. Uses of force (ORS 181A.663)
 4. Officer deaths or assaults
 5. Crime incidents
 6. Deaths in custody
- (h) Maintaining records of reports received from OSP of persons who are prohibited from possessing firearms attempting to purchase or otherwise procure them, and of the actions taken by the Agency in response to those reports. Information and outcome of the actions taken by the Agency shall be provided to OSP on or before Jan. 31 of each year as required by ORS 166.412 and ORS 166.436.
- (i) Assigning National Incident-Based Reporting System codes to all crime reports in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program, entering such information into the City of Sherwood Police Department data system, and transmitting it on a monthly basis to the Oregon State Police Law Enforcement Data System (LEDS) (ORS 181A.225).

802.4 FILE ACCESS AND SECURITY

The security of files in the Records Section must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence and any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Section, and accessible only by authorized members of the Records Section. Access to case reports or files when Records Section staff is not available may be obtained through the Shift Supervisor.

Records Section

The Records Section will also maintain a secure file for case reports deemed by the Police Chief as sensitive or otherwise requiring extraordinary access restrictions.

802.4.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Section. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Support Captain. All original case reports removed from the Records Section shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Section.

All original case reports to be removed from the Records Section shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Section. The photocopied report shall be shredded upon return of the original report to the file.

802.5 CONFIDENTIALITY

Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute, any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.

802.6 LAW ENFORCEMENT DATA SYSTEM (LEDS) VALIDATION

802.6.1 VEHICLE / VEHICLE PARTS VALIDATIONS

Upon receipt of a Vehicle / Vehicle Parts Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

Once the files are pulled, they are checked for accurate contact information, i.e. telephone numbers and addresses. If no current phone numbers are available then a letter is sent to the registered owner. If the letter is returned unclaimed or no response is received within the allotted time allowed (15 days from date of letter), the vehicle may be cleared from LEDS/NCIC.

If an insurance company has paid the owner for the stolen vehicle, said insurance company is to be contacted. It is necessary to keep insurance information current and accurate. If the phone numbers listed for the insurance company have been disconnected or are no longer in service and/or letters have been returned as undeliverable and/or no response from the insurance company has been received within the allotted 15-day period, the entries into LEDS/NCIC may be cancelled.

Once the above process has been completed on each entry for a particular file, all documentation pertaining to the Validation process is placed in the original file and the file is returned to the appropriate permanent file storage.

Records Section

A working copy is defined as the copy of the case kept in records upon entry of the stolen information into LEDS.

802.6.2 GUNS VALIDATIONS

Upon receipt of a Guns Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

Once the files are pulled, they are checked for accurate contact information, i.e. telephone numbers and addresses. If no current phone numbers are available then a letter is sent to the registered owner. If the letter is returned unclaimed or no response is received within the allotted time allowed (15 days from date of letter), the gun may be cancelled from LEDS/NCIC.

If an insurance company has paid the owner for the stolen gun, said insurance company is to be contacted. It is necessary to keep insurance information current and accurate. If the phone numbers listed for the insurance company have been disconnected or are no longer in service and/or letters have been returned as undeliverable and/or no response from the insurance company has been received within the allotted 15-day period, the LEDS/NCIC entries may be cancelled.

Once the above process has been completed on each entry for a particular file, all documentation pertaining to the Validation process is placed in said file and the file is returned to the appropriate permanent file storage.

A working copy is defined as the copy of the case kept in records upon entry of the stolen information into LEDS.

802.6.3 ARTICLES / SECURITIES VALIDATIONS

Upon receipt of an Articles / Securities Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

Once the files are pulled, they are checked for accurate contact information, i.e. telephone numbers and addresses. If no current phone numbers are available then a letter is sent to the registered owner. If the letter is returned unclaimed or no response is received within the allotted time allowed (15 days from date of letter), the article or security may be cancelled from LEDS/NCIC.

If an insurance company has paid the owner for the stolen article or security, said insurance company is to be contacted. It is necessary to keep insurance information current and accurate. If the phone numbers listed for the insurance company have been disconnected or are no longer in service and/or letters have been returned as undeliverable and/or no timely response has been received from the insurance company within the allotted 15-day period, the LEDS/NCIC entries may be cancelled.

A working copy is defined as the copy of the case kept in records upon entry of the stolen information into LEDS.

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802.6.4 BOATS / BOAT PARTS VALIDATIONS

Upon receipt of a Boats / Boat Parts Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

Once the files are pulled, they are checked for accurate contact information, i.e. telephone numbers and addresses. If no current phone numbers are available then a letter is sent to the registered owner. If the letter is returned unclaimed or no response is received within the allotted time allowed (15 days from date of letter), the boat may be cleared from LEDS/NCIC.

If an insurance company has paid the owner for the stolen boat, said insurance company is to be contacted. It is necessary to keep insurance information current and accurate. If the phone numbers listed for the insurance company have been disconnected or are no longer in service and/or letters have been returned as undeliverable and/or no timely response has been received from the insurance company within the allotted 15-day period, the LEDS/NCIC entries may be cancelled.

Once the above process has been completed on each entry for a particular file, all documentation pertaining to the Validation process is placed in said file and the file is returned to the appropriate permanent file storage.

A working copy is defined as the copy of the case kept in records upon entry of the stolen information into LEDS.

802.6.5 MISSING PERSONS VALIDATIONS

Upon receipt of a Missing Persons Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

If the person who has been reported as missing as not been located within 30 days after the missing person report is made, the officer assigned to said case shall contact the reporting party and determine if the person is still missing.

All records for juvenile, runaways, or missing persons that cannot be validated will be retained in the system.

Upon receipt of a License Plates Validations list from LEDS, the working copy of said case to be validated is pulled from its designated place in the Records office and placed in the LEDS VALIDATION FILE drawer.

Once the files are pulled, they are checked for accurate contact information, i.e. telephone numbers and addresses. If no current phone numbers are available then a letter is sent to the registered owner. If the letter is returned unclaimed or no response is received within the allotted time allowed (15 days from date of letter), the license plate(s) may be cleared from LEDS/NCIC.

If the tags on the stolen license plate(s) have expired, the entries in LEDS/NCIC can be cleared.

Records Section

Once the above process has been completed on each entry for a particular file, all documentation pertaining to the Validation process is placed in said file and the file is returned to the appropriate permanent file storage.

A working copy is defined as the copy of the case kept in records upon entry of the stolen information into LEDS.

Protected Information

806.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the City of Sherwood Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Agency and not the public records information covered in the Records Maintenance and Release Policy.

806.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the City of Sherwood Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

806.2 POLICY

Members of the City of Sherwood Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

806.3 RESPONSIBILITIES

The Police Chief shall select a member of the Agency to coordinate the use of protected information.

The responsibilities of this position include but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Driver and Motor Vehicle Services Division (DMV) records, and Law Enforcement Data System (LEDS).
- (b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy. See the City of Sherwood Police Department CJIS Access, Maintenance, and Security Policy for additional guidance.
- (c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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806.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, City of Sherwood Police Department policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

806.4.1 ACCESS TO OREGON STATE POLICE OFFENDER INFORMATION

Access to Oregon State Police (OSP) criminal offender information may be granted when the information is to be used for the administration of criminal justice, employment, or the information is required to implement a federal or state statute, local ordinance, Executive Order, or administrative rule that expressly refers to criminal conduct and contains requirements or exclusions expressly based on such conduct, or other demonstrated and legitimate needs (OAR 257-010-0025).

806.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Support Captain for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Agency may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk. In those instances, cell phones should be used if possible. The transmission should be limited to essential details only, with maximized use of law enforcement codes (10 or 12 code), concealing information identifying individuals and offenses as much as possible. Plain text transmission of an entire record (summary or full) is prohibited.

Nothing in this policy is intended to prohibit broadcasting warrant information.

Protected Information

806.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own Oregon criminal offender information shall be referred to OSP, Identification Services Section (OAR 257-010-0035).

An individual may review his/her local record on file with the Agency under the provisions of ORS 192.345(3), and after complying with all legal requirements.

This department will not release information originated by any other agency (ORS 192.311 et seq). Individuals requesting this information shall be referred to the originating agency.

806.6 SECURITY OF PROTECTED INFORMATION

The Police Chief will select a member of the Agency to oversee the security of protected information.

The responsibilities of this position include but are not limited to (see the CJIS Access, Maintenance, and Security Policy for additional guidance):

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the Police Chief and appropriate authorities.

806.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

806.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

806.7.1 LEDS TRAINING

All members who operate a terminal to access the LEDS network shall complete a LEDS System Training Guide at a level consistent with the member's duties. Each member who operates a terminal to access LEDS must be re-certified by the Agency every two years (OAR 257-015-0050).

Jeanne Clery Campus Safety Act

809.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Campus Safety Act (Clery Act).

809.2 POLICY

The City of Sherwood Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any City of Sherwood Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the City of Sherwood Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the City of Sherwood Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

809.3 POLICY, PROCEDURE, AND PROGRAM DEVELOPMENT

The Police Chief shall:

- (a) Ensure that the City of Sherwood Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
 2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
 3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
 4. Notify the City of Sherwood Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).
 5. Notify the City of Sherwood Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the

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campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
- (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
- (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, and what to do if an offense occurs, including but not limited to who should be contacted, the importance of preserving evidence, and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explain the rights and options provided for in 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
- (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).
- (g) Appoint a designee to assist in the development of prevention and awareness programs related to hazing as defined by the institution, including but not limited to the procedures for reporting and investigating incidents; information on local, state, and tribal laws on hazing; and hazing prevention strategies (20 USC § 1092(f)(1)(K); 20 USC § 1092(f)(1)(L)).

809.4 RECORDS COLLECTION AND RETENTION

The Support Captain is responsible for maintaining City of Sherwood Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks, and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
 - 1. Murder
 - 2. Sex offenses, forcible or non-forcible
 - 3. Robbery
 - 4. Aggravated assault
 - 5. Burglary
 - 6. Motor vehicle theft

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7. Manslaughter
 8. Arson
 9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession
 10. Dating violence, domestic violence, and stalking
 11. Hazing
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of their actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity, or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur (20 USC § 1092(f)(13); 34 CFR 668.46(c)(5)):
1. On campus.
 2. In or on a non-campus building or property.
 3. On public property.
 4. In dormitories or other on-campus residential or student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the City of Sherwood Police Department (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location in which the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
- (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).
- (h) Hazing incident statistics shall be compiled using the definitions in the Stop Campus Hazing Act (20 USC § 1092 (f)(6)(A)(vi)). The statistics shall be compiled for each single incident and as required by 20 USC § 1092(f)(7).

809.4.1 CRIME LOG

The Support Captain is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

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- (a) The daily crime log will record all crimes reported to the City of Sherwood Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Agency.
- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
 1. Disclosure of the information is prohibited by law.
 2. Disclosure would jeopardize the confidentiality of the victim.
 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

809.5 INFORMATION DISSEMINATION

It is the responsibility of the Administration Section Commander to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e); 34 CFR 668.46(g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include but is not limited to:
 1. Crime statistics and the policies for preparing the crime statistics.
 2. Crime and emergency reporting procedures, including the responses to such reports.
 3. Policies concerning security of and access to campus facilities.
 4. Crime, dating violence, domestic violence, sexual assault, and stalking awareness and prevention programs, including:
 - (a) Procedures victims should follow.

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- (b) Procedures for protecting the confidentiality of victims and other necessary parties.
- 5. Policies and incident prevention and awareness programs concerning hazing, including:
 - (a) Procedures for reporting incidents.
 - (b) Procedures for investigating incidents.
 - (c) Information on applicable local, state, and tribal laws on hazing.
 - (d) Primary prevention strategies (e.g., bystander intervention, ethical leadership, building group cohesion without hazing).
- 6. Enforcement policies related to alcohol and illegal drugs.
- 7. Locations where the campus community can obtain information about registered sex offenders.
- 8. Emergency response and evacuation procedures.
- 9. Missing student notification procedures.
- 10. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.
- (d) Information necessary for the institution to prepare the Campus Hazing Transparency Report (CHTR) (20 USC § 1092(f)(9)).

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the City of Sherwood Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

Additional guidance for transferring persons in custody to another facility or court is provided in the Transporting Persons in Custody Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Agency.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the City of Sherwood Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The City of Sherwood Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Agency. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than four hours (ORS 169.005).

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the City of Sherwood Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported (ORS 169.105).

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- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).
 - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated (ORS 430.399).
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision (ORS 169.078). Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.

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- (c) Any other person authorized by the Shift Supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the City jail or the appropriate mental health facility.

The officer should promptly notify the Shift Supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Supervisor shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

- (a) Advise the Shift Supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
 2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
 4. Ensure males and females are separated by sight and sound when in cells.
 5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

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- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Section Section Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Agency members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 - 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 - 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

900.4.3 INDIVIDUAL RIGHT NOTIFICATION

To ensure compliance with all treaty obligations, including consular notification and state and federal laws, an officer should ensure an individual who is in temporary custody receives an

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explanation in writing, with interpretation into another language if requested, of the following (ORS 181A.823):

- (a) The individual's right to refuse to disclose the individual's nationality, citizenship, or immigration status.
- (b) That the disclosure of the individual's nationality, citizenship, or immigration status may result in a civil or criminal immigration enforcement, including removal from the United States.

900.5 SAFETY, HEALTH, AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the City of Sherwood Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Agency.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the City of Sherwood Police Department.

The Shift Supervisor should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Shift Supervisor should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins (ORS 169.078).
- (d) There is reasonable access to a drinking fountain or water.

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- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches (ORS 169.078).

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor shall meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the City of Sherwood Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.

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- 1. The Agency should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
 - 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed (ORS 169.078). They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.5.8 NONDISCRIMINATION

The City of Sherwood Police Department shall not deny services, benefits, privileges, or opportunities to an individual in custody based on a known or suspected immigration status, the existence of an immigration detainer, hold, notification, or other related federal immigration request, or a civil immigration warrant, except as required by law (ORS 181A.823).

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900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the City of Sherwood Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Agency shall maintain a copy of the property receipt.

The Shift Supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Supervisor shall attempt to prove or disprove the claim.

900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.

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- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by department members shall occur no less than every 15 minutes.
 - 1. Safety checks should be at varying times.
 - 2. All safety checks shall be logged.
 - 3. The safety check should involve questioning the individual as to his/her well-being.
 - 4. Individuals who are sleeping or apparently sleeping should be awakened.
 - 5. Requests or concerns of the individual should be logged.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Patrol Section Section Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the City of Sherwood Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Supervisor, Police Chief and Support Section Section Commander.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the City Attorney.
- (f) Notification of the Medical Examiner.
- (g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms, and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual.

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- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the City of Sherwood Police Department unless escorted by a member of the Agency.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if the individual is being sent to another facility.
- (h) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with the person's personal needs as reasonable.

900.11 ASSIGNED ADMINISTRATOR

The Patrol Section Section Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues (ORS 169.078):

- (a) General security
- (b) Key control
- (c) Sanitation and maintenance
- (d) Emergency medical treatment
- (e) Escapes
- (f) Evacuation plans
- (g) Fire- and life-safety
- (h) Disaster plans
- (i) Building and safety code compliance

900.12 TRAINING

Agency members should be trained and familiar with this policy and any supplemental procedures.

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants, or weapons into the City of Sherwood Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors, and the public.

Guidance for custody searches when transporting a person in custody may be found in the Transporting Persons in Custody Policy.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody Search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the City of Sherwood Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

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901.3.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's City of Sherwood Police Department identification number and information regarding how and when the property may be released.

901.3.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.3.3 RECEIPT FOR PROPERTY OR MONEY

The officer or other member charged with such inventories shall ensure that the individual receives a receipt for any money or other property received and should have the individual countersign both the original and duplicate receipt. Members will otherwise comply with ORS 133.455 if the individual is unable to sign.

901.4 STRIP SEARCHES

No individual in temporary custody at any City of Sherwood Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

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1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.4.1 STRIP SEARCH PROCEDURES

Strip searches at City of Sherwood Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from the Shift Supervisor shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 1. The facts that led to the decision to perform a strip search.
 2. The reasons less intrusive methods of searching were not used or were insufficient.
 3. The written authorization for the search, obtained from the Shift Supervisor.
 4. The name of the individual who was searched.
 5. The name and sex of the members who conducted the search.
 6. The name, sex and role of any person present during the search.
 7. The time and date of the search.

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8. The place at which the search was conducted.
 9. A list of the items, if any, that were recovered.
 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

901.4.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Supervisor authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Shift Supervisor authorization does not need to be in writing.

901.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Supervisor and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

Custodial Searches

- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Shift Supervisor's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any department members present.
 - 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and made available to the individual who was searched or other authorized representative upon request.

901.6 TRAINING

The Support Captain shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

901.7 CLOSED CONTAINER SEARCHES

Closed containers will not be opened for inventory purposes except for the following, which shall be opened for inventory: wallets, purses, coin purses, fanny packs, personal organizers, briefcases or other closed containers designed for carrying money or small valuables, or closed containers which are designed for hazardous materials.

Other closed containers shall be opened and inventoried if the owner acknowledges they contain cash in excess of \$10, valuables or a hazardous material.

901.8 GENDER IDENTITY OR EXPRESSION CONSIDERATIONS

If an individual who is subject to a strip search or physical body cavity search has a gender identity or expression that differs from their sex assigned at birth, the search should be conducted by members of the same gender identity or expression as the individual, unless the individual requests otherwise.

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901.9 JUVENILES

No juvenile should be subjected to a strip search or a physical body cavity search at the Agency.

The Police Chief or the authorized designee should establish procedures for the following:

- (a) Safely transporting a juvenile who is suspected of concealing a weapon or contraband, or who may be experiencing a medical issue related to such concealment, to a medical facility or juvenile detention facility as appropriate in the given circumstances.
 - 1. Procedures should include keeping a juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.
- (b) Providing officers with information identifying appropriate medical and juvenile detention facilities to which a juvenile should be transported for a strip or body cavity search.

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).

ADA Compliance

349.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to City of Sherwood Police Department services, programs, and activities for persons with disabilities, in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities. See the Service Animals Policy for guidance on protecting the rights of individuals who use service animals in accordance with the ADA.

349.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The member designated by the Police Chief to coordinate the department's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used by persons with disabilities to facilitate their participation in services, programs, and activities offered by the City of Sherwood Police Department and to facilitate effective communication. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; a qualified reader; or a qualified interpreter.

Disability - A physical or mental impairment that substantially limits a major life activity including hearing, seeing, or speaking, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of department buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders department services, programs, or activities suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to services, programs, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, signed language interpreters, and

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intermediary interpreters. Qualified signed language interpreters must be licensed (ORS 676.750; ORS 676.756).

349.2 POLICY

It is the policy of the City of Sherwood Police Department that persons with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to services, programs, and activities of the Agency.

The Agency will not discriminate against or deny any individual access to services, programs, or activities based upon the presence or suspected presence of disabilities.

349.3 ADA COORDINATOR RESPONSIBILITIES

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Collaborating with the City ADA coordinator regarding the City of Sherwood Police Department's efforts to provide equal access to services, programs, and activities.
 - 1. Maintaining department compliance with accessibility standards for department web content and mobile applications as required by 28 CFR 35 Subpart H (28 CFR 35.200).
- (b) Collaborating with the City ADA coordinator to facilitate a process of periodic self-evaluation. The process should include:
 - 1. Inspection of current department facilities to identify access issues.
 - 2. Review of current department services, activities, and programs for access issues.
 - 3. Assessment and update, if necessary, of current compliance measures.
 - 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
 - 5. Review of the department's emergency programs, services, and activities as they apply to persons with disabilities.
 - 6. Recommendation of a schedule to implement needed improvements.
- (c) Acting as a liaison with local disability advocacy groups or other disability-focused groups regarding access to department services, programs, and activities.
- (d) Developing procedures that will enable members to access assistive devices, auxiliary aids, and services, and making the procedures available as appropriate.
 - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to members.
- (e) Developing procedures for the review and processing of requests for modifications that will help members provide persons with disabilities access to department services, programs, and activities, as appropriate.

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- (f) Establishing procedures for the booking process to assist members with managing commonly encountered disabilities such as sight or mobility impairments and intellectual or developmental disabilities.
- (g) Providing notice to the public regarding the rights and protections afforded by the ADA. This may include posters, published notices, handbooks, manuals, and pamphlets describing department services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications (28 CFR 35.106).
- (h) Collaborating with other city departments during the planning process to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
- (i) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities. The complaint procedures should include an appeal process (28 CFR 35.107).
- (j) Verifying that third parties providing department services, programs, or activities through contract, outsourcing, licensing, or other arrangement have established reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (k) Recommending amendments to this policy as needed.

349.4 REQUESTS

The goal of any modification should be to allow a person with a disability to participate in a service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, members should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Members should not ask about the nature and extent of a person's disability but should limit questions to elicit information necessary to determine the need for a modification and the appropriate type of modification.

If the requested modification or an alternative modification can reasonably be made at the time of the request, the member should make the modification. A member who is unable to accommodate a request or unsure about whether a request should be accommodated should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

349.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

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- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
 - 1. A substantial alteration of the service, program, or activity.
 - 2. An undue financial or administrative burden on the Agency. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
 - 3. A threat to or the destruction of the historic significance of a historic property.
 - 4. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with department members and the person requesting the modification to determine if an alternative modification is available.
- (c) Where new construction or physical modification of an existing building or facility would be unfeasible or unduly burdensome, the ADA coordinator should work with department members to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
 - 1. Reassigning services, programs, or activities to accessible buildings or facilities.
 - 2. Utilizing technology, equipment, rolling stock, or other conveyances.
 - 3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
 - 4. Any other means or methods that would make services, programs, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the service, program, or activity will not be made (28 CFR 35.150).

349.4.2 PERSONAL DEVICES AND ASSISTANCE

Although members should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

349.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications (28 CFR 35.130(f)).

349.5 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Members should remain alert to the possibility of communication problems when engaging with persons with disabilities. When a member knows or suspects an individual requires assistance to effectively communicate, the member should identify the individual's choice of assistive devices, auxiliary aids, and services. The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

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Factors to consider when determining whether an alternative method may be effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever modification reasonably appears effective under the circumstances. This may include exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter. Once the emergency has ended, the method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

349.5.1 TYPES OF ASSISTANCE AVAILABLE

Agency members shall not refuse an available type of assistive device, auxiliary aid, or service to a person with a disability who is requesting assistance. The Agency will not require persons with disabilities to furnish their own assistive device, auxiliary aid, or service as a condition for receiving access to department services, programs, and activities. The Agency will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services (28 CFR 35.160).

The Agency will not require that persons with disabilities use department-provided assistive devices, auxiliary aids, and services. Agency-provided assistive devices, auxiliary aids, and services may include but are not limited to the means described in this policy.

349.5.2 AUDIO RECORDINGS AND ENLARGED PRINT

The Agency may develop audio recordings to assist people who are blind or have a visual impairment. If such a recording is not available, members may read aloud from the appropriate form or provide forms with enlarged print.

349.5.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) with individuals who normally rely on sign language or speechreading (i.e., lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the matter. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a legal proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time.
- (b) Experienced in providing interpretation services related to law enforcement matters in the person's primary language.
- (c) Familiar with the use of text- and video-based communications products and systems.

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- (d) Certified in either American Sign Language (ASL) or Signing Exact English (SEE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Persons with disabilities shall not be required to provide an interpreter (28 CFR 35.160).

349.5.4 TELECOMMUNICATION SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., during booking or attorney contacts), members must also provide those with communication-related disabilities the opportunity to place calls using an available TTY, TDD, or other voice, text, or video-based communications product or system. Members shall provide additional time, as needed, for effective communication due to the slower nature of assisted communications.

The Agency will accept all TDD and computer modem calls placed by individuals with communications-related disabilities and received via a telecommunications relay service (28 CFR 35.162).

349.5.5 COMMUNITY VOLUNTEERS

Where qualified interpreters are unavailable to assist members, department-approved community volunteers who have demonstrated competence in communication services, such as ASL or SEE, may be called upon to provide interpreter services when appropriate. However, department members must carefully consider the nature of the interaction and the relationship between the individual with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

349.5.6 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the interaction and relationship between the individual with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Except in an emergency involving an imminent threat to the safety or welfare of any person and no qualified interpreter is reasonably available, members shall not use a minor child as an interpreter (28 CFR 35.160).

349.5.7 FIELD ENFORCEMENT CONSIDERATIONS

Due to the unpredictable and varied nature of field enforcement, the Agency recognizes that it is impracticable to provide immediate access to a comprehensive supply of assistive

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devices, auxiliary aids, and services to every member of this department. Members involved in interactions with persons with disabilities that occur in the field should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

349.6 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals with disabilities are protected during a custodial interrogation, this department will provide reasonable modifications before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without receiving a modification. *Miranda* warnings should be provided to a suspect via the individual's preferred method of communication.

Interrogations should be recorded whenever reasonably practicable. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

349.6.1 STATE REQUIREMENTS

An officer who arrests a person who is deaf, has a physical hearing impairment, or physical speaking impairment shall, prior to any interrogation or the taking of a statement, make available a qualified interpreter to assist throughout the interrogation or taking of the statement. Fees and expenses of the qualified interpreter will be paid as specified by Oregon law (ORS 133.515).

349.7 ARREST

If an individual with a communication-related disability is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter as soon as reasonably practicable, unless the individual indicates a preference for a different assistive device, auxiliary aid, or service, or the officer reasonably determines another effective method of communication exists under the circumstances.

Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

349.8 WEBSITE ACCESS

The ADA coordinator should work with the appropriate parties to develop online content that is readily accessible to persons with disabilities. Agency web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice and federal regulations (28 CFR 35 Subpart H; 28 CFR 35.200).

Agency website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

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349.9 DOCUMENTATION

Whenever any modification has been provided, the member involved should document:

- (a) The type of modification, assistive device, auxiliary aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, or service provided by the Agency or another identified source, as applicable.
- (c) Whether the individual's express preference for the modification was not honored and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

All written communications exchanged in a criminal case shall be attached to the member's report or placed into evidence.

349.10 COMPLAINTS

A member who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access the department's programs, services, or activities should document the complaint and promptly refer the matter to the ADA coordinator (28 CFR 35.107). The Agency shall assist persons with disabilities who require assistance to file a complaint regarding members of this department. The Agency may provide a qualified interpreter or forms in enlarged print, as appropriate.

349.11 TRAINING

Members should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy, related procedures, forms, and available resources.
- (b) Procedures for handling requests for modifications.
- (c) Accessing assistive devices, auxiliary aids, and services needed to accommodate requests for modifications.
- (d) General requirements of the ADA, including modifying policies and practices, communicating with individuals with disabilities, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the member's job duties.

Management staff, even if they do not interact regularly with individuals with disabilities, should receive training as appropriate to understand and reinforce this policy.

The Support Captain should maintain records of all training provided and retain a copy in each member's training file in accordance with the established records retention schedule.

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349.11.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of department assistive devices, auxiliary aids, and services for communicating with individuals with communication-related disabilities. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing calls using TTY, TDD, or other voice, text, and video-based communications products and systems.
- (d) Hands-on experience in using TTY, TDD, or other voice, text, and video-based communications products and systems.

Training should be provided for all Dispatch members who may have contact with individuals from the public who have communication-related disabilities. Refresher training should be provided as appropriate.

CJIS Access, Maintenance, and Security

810.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use, maintenance, and security of department systems that access, process, store, or transmit Criminal Justice Information.

810.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal Justice Information (CJI) - Data provided by FBI Criminal Justice Information Services (CJIS) that is necessary for law enforcement agencies to perform their mission and enforce the laws (e.g., biometric, identity history, person, organization, case/incident history data).

Security incident - Any incident that compromises the security of CJI or systems that access, process, store, or transmit CJI. Examples include but are not limited to unauthorized use of legitimate code or credentials within department systems, email communications that contain malicious code, data breaches, signaling to external systems, and unauthorized exporting of information.

810.2 POLICY

It is the policy of the City of Sherwood Police Department to maintain the security, confidentiality, and integrity of its information systems that access, process, store, or transmit CJI by collaborating with appropriate state and federal agencies to implement the applicable established protocols.

810.3 CJIS COORDINATOR

The Police Chief shall appoint a CJIS coordinator, who shall be responsible for the City of Sherwood Police Department's adherence to FBI CJIS Security Policy requirements.

The CJIS coordinator shall establish procedures necessary to govern the department's use, maintenance, and security of systems that access CJI as described in this policy.

810.3.1 CJIS COORDINATOR RESPONSIBILITIES

The responsibilities of the CJIS coordinator include but are not limited to:

- (a) Coordinating with others, such as the information technology or legal departments, as appropriate, to maintain department compliance with FBI CJIS Security Policy requirements and the Oregon State Police.
- (b) Managing member accounts with access to CJI, including:
 1. Creating, enabling, modifying, disabling, and removing member accounts in accordance with this policy and the FBI CJIS Security Policy.
 2. Configuring member accounts in accordance with federal and state requirements (e.g., limiting unsuccessful login attempts, validating new passwords against known compromised or commonly used passwords).

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3. Reviewing member accounts for compliance with legal and policy requirements at least annually.
- (c) Overseeing the maintenance, repair, and replacement of CJI systems and system components in accordance with manufacturer or vendor specifications and/or department requirements, including:
1. Maintaining a list of organizations and personnel approved by the Police Chief to perform maintenance on CJI systems.
 2. Approving, scheduling, documenting, and monitoring all maintenance and diagnostic activities, whether performed on-site, remotely, or off-site, and maintaining records.
 3. Verifying that non-escorted personnel performing maintenance on any CJI system or terminal possess the required access authorizations, and designating members who have the required access authorizations and technical competence to supervise the maintenance activities of personnel who do not possess the required access authorizations.
 4. Maintaining records for all system maintenance and diagnostic activities.
- (d) Configuring remote access systems and devices only with the explicit authorization of the Police Chief or the authorized designee, including:
1. Routing through authorized and managed access control points (e.g., firewalls, secure gateways).
 2. Mandatory multi-factor authentication for users.
 3. Use of automated mechanisms to monitor and control remote access methods.
 4. Mandatory encryption (e.g., VPN, Transport Layer Security).
 5. Required logging of all remote access activity.
- (e) Monitoring department systems that have access to CJI to ensure compliance with applicable laws and this policy; developing processes to detect, identify, and correct flaws in software and firmware; and conducting security updates as necessary.
- (f) Providing for the security of hardware that includes provisions for the following:
1. How hardware is to be brought into and taken out of department facilities
 2. Physical security of hardware within department facilities
 3. Physical security of areas containing network connections and transmission lines, including monitored access
- (g) Implementing and carrying out the department Incident Response Plan, including:
1. Tracking and documenting all suspected or actual security incidents related to CJI in an appropriate manner.
 2. Directing annual testing of the department's information security incident response capabilities using tabletop or walk-through exercises, simulations, or other types of testing.

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3. Making the appropriate notifications outside of the Agency (see the Records Maintenance and Release Policy for additional guidance).
4. Providing information on security incidents to any third-party software developers or vendors as appropriate.
- (h) Protecting digital and non-digital media that contain CJJ, including physical security, transportation, destruction/sanitization, and documentation requirements.
- (i) Developing and updating department information security and privacy literacy training and incident response training as required by policy.
- (j) Maintaining audit records in accordance with the established records retention schedule, but in no event for less than one year.
- (k) Managing the development, documentation, and dissemination of applicable policies and procedures for the following:
 1. Access control
 2. Awareness and training
 3. Auditing and accountability
 4. Assessment, authorization, and monitoring
 5. Configuration management
 6. Contingency planning
 7. Identification and authentication
 8. Incident response
 9. Maintenance
 10. Media protection
 11. Physical and environmental protection
 12. Planning
 13. Personnel security
 14. Risk assessment
 15. System and services acquisition
 16. Systems and communications protection
 17. System and information integrity
 18. Supply chain risk management
- (l) Reviewing this policy and related procedures as required by the FBI CJIS Security Policy and proposing updates as needed to the Police Chief.

810.4 MEMBER RESPONSIBILITIES

All members of the Agency shall be committed to detecting information security incidents and making the appropriate notifications.

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Any member who suspects that there may have been unauthorized access, disclosure, or other compromise of CJIS shall report their suspicions in accordance with the Incident Response Plan within one hour of the discovery.

Personally owned devices or systems and publicly accessible systems shall not be used to access, process, store, or transmit CJIS.

810.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall notify the CJIS coordinator when the account access of a member they supervise needs to be modified, disabled, or removed for any reason, such as resignation, termination, or change of duties.

810.6 MEMBER ACCOUNTS

Agency accounts used to access CJIS shall only be created upon approval of the Police Chief or the authorized designee.

Member accounts shall be disabled within one week of any of the following:

- (a) The account has expired.
- (b) The account is no longer associated with a member.
- (c) The account is found to be in violation of this policy.
- (d) The account has been inactive for 90 calendar days.

If any threat to the confidentiality, integrity, or availability of CJIS related to a specific member account is detected, the CJIS coordinator or designated member shall disable the account within 30 minutes of the discovery.

810.6.1 ACCESS AUTHORIZATION

Access authorization for systems transmitting, receiving, using, or storing CJIS shall be based on the principle of least privilege as follows:

- (a) Members shall only be granted access authorizations that are necessary to accomplish assigned department tasks.
- (b) Accounts with security privileges shall only be authorized for members with an operational need for the privileges. Privileged functions shall be logged as they are executed.
- (c) Non-privileged members shall not be allowed to execute privileged functions.

810.6.2 ACCOUNT REVIEW ACTIVITIES

At least annually, the CJIS coordinator shall review member accounts for compliance with policy and applicable laws. The CJIS coordinator shall validate account privileges and remove or reassign them as necessary to accurately reflect the department mission and law enforcement needs.

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810.7 MEDIA PROTECTION

Access to media containing CJI shall be restricted to authorized members and stored within physically secured locations or controlled areas, in accordance with the FBI CJIS Security Policy.

Digital media (e.g., flash drives, external or removable hard disk drives, compact discs) containing CJI shall be encrypted. Personally owned digital media devices or digital media devices with no identifiable owner shall not be used on department systems that store, process, or transmit CJI.

Non-digital media (e.g., paper files, printed pages, microfilm) containing CJI should be enclosed in an opaque folder or container if they are to be transported outside of physically secure locations or controlled areas. Media containing CJI shall not be left unattended outside of a physically secure location.

Transportation and transfers of media containing CJI shall only be conducted by authorized members and shall be documented.

810.7.1 MEDIA DISPOSAL AND RELEASE

Digital media containing CJI shall be overwritten at least three times or degaussed (i.e., erased) prior to being disposed of, released from department control, or released for reuse. Inoperable digital media devices, such as hard drives or solid-state drives that cannot be accessed to overwrite the data, shall be physically destroyed. When non-digital media is no longer needed for investigative or security purposes, it shall be destroyed by crosscut shredding or incineration.

810.8 SYSTEM AND INFORMATION INTEGRITY

The integrity of department CJI systems shall be protected through the implementation of appropriate controls such as:

- (a) Flaw remediation.
- (b) System monitoring.
- (c) Security alerts, advisories, and directives.
- (d) Software, firmware, and information integrity controls.
- (e) Spam protection.

810.9 INCIDENT RESPONSE PLAN

[Insert your agency's Incident Response Plan consistent with CJIS 5.3 IR-4, IR-7, and IR-8 – see the Guide Sheet for additional guidance.]

810.10 SECURITY AWARENESS TRAINING

Members with physical or electronic access to CJI or CJI systems shall complete security awareness training appropriate to their assigned roles and responsibilities and shall certify their understanding by signing a formal Security Awareness Training Acknowledgement. Training shall include information security and privacy literacy training, security incident response training, and a review of this policy and related procedures.

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Security awareness training shall be completed prior to accessing any CJI data or system and at least annually thereafter. Additional training shall be completed as required following any changes to CJI systems and for any member involved in a security incident within 30 days of the event.

Individual training records shall be maintained in accordance with the established records retention schedule, but in no event for less than three years.

The department's CJIS training shall be reviewed for any necessary updates or changes annually and following any security incident or change in a CJI system or the FBI CJIS Security Policy.

810.11 SANCTIONS

Failure to adhere to policies and procedures pertaining to CJI shall result in disciplinary action, up to and including termination. Misuse of or failure to secure CJI may also result in temporary or permanent restrictions in the use of CJI. Intentional misuse of CJI may also be prosecutable under applicable laws.

Transporting Persons in Custody

903.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the City of Sherwood Police Department.

See the Handcuffing and Restraints Policy for additional guidance.

903.2 POLICY

It is the policy of the City of Sherwood Police Department to provide safe, secure, and humane transportation for all persons in custody.

903.3 PATROL SECTION SECTION COMMANDER RESPONSIBILITIES

The Patrol Section Section Commander should establish related procedures for:

- Safely transporting persons who have their legs restrained.
- Seating placement of persons being transported in vehicles with and without safety barriers.
- Prisoner identification confirmation.

903.4 OFFICER RESPONSIBILITIES

Persons in custody should be transported in a vehicle properly equipped to transport passengers. They should be appropriately restrained and positioned during transport.

Officers transporting a person in custody should:

- (a) Search all areas of the vehicle accessible to a person in custody before and after each transport.
- (b) Immediately search persons in custody after arrest, when receiving the person from the custody of another officer, and before transferring the person. Refer to the Custodial Searches Policy before conducting any search other than a field search.
 1. Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, a witnessing officer should be present during the search.
- (c) Provide Dispatch with any required notifications (e.g., start time, mileage, end time).
- (d) Properly secure all property.
- (e) Use audio/video equipment (when properly equipped) to observe and record any person in custody during transport (see the Mobile Audio Video and Body-Worn Cameras policies for additional guidance).
- (f) Make a reasonable effort to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.

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- (g) Plan travel times and routes to avoid situations that might impede transportation (e.g., heavy traffic, unfavorable road conditions, extreme weather) when reasonably practicable.
- (h) Make a verbal welfare check with a person in custody at least every 10 minutes. Provide sufficient visual observation and audio communication during the transport of:
 - 1. Individuals in auxiliary restraints.
 - 2. Individuals in leg restraints.
 - 3. Individuals wearing a spit hood.
 - 4. Individuals who are a suspected suicide risk.
- (i) Verify that the vehicle's security devices (e.g., window and rear-door child-safety locks) are activated.
- (j) Assess uncooperative persons who cannot or will not sit upright for a medical condition (see the Medical Aid and Response Policy for additional guidance):
 - 1. If no medical condition exists, alternative transportation should be arranged (e.g., a special transport van).

903.5 TRANSPORT RESTRICTIONS

When transporting multiple persons, officers:

- (a) Should not transport persons in custody together. Persons in custody should be transported individually when practicable, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
 - 1. Juveniles and adults shall not be transported together.
 - 2. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, shall not be transported together.
 - 3. Persons of different genders should not be transported together.
- (b) If segregating individuals is not possible, transporting officers should be alert to inappropriate physical or verbal contact and take appropriate action.

903.6 TRANSPORT VANS

An officer trained on the safety and restraint systems of a transport van should be present during the transport van's use for transporting a person in custody.

An officer should assist persons getting into and out of the transport van to avoid falls.

903.7 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY

When transporting a person in custody who has a disability, a transporting officer should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting officer should ensure that any special equipment (e.g., canes, wheelchairs,

Transporting Persons in Custody

prosthetics) is transported to the person's destination in a way that does not threaten the safety or security of the person in custody or the officer.

Officers transporting a person who has a disability should consult with the person in custody and use good judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety, and dignity of all persons.

903.8 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY

Except in exceptional cases where alternatives are not reasonably available, officers should not transport persons in custody who are unconscious, have serious injuries, or who may be seriously ill. EMS personnel should be called to handle such transportation.

Officers shall notify a supervisor as soon as practicable when transporting a person in custody to a hospital.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a Shift Supervisor.

Any person in custody suspected of having a communicable disease should be transported in compliance with the exposure control plan in the Communicable Diseases Policy.

See the Medical Aid and Response Policy for additional guidance on ill or injured persons in custody.

903.9 TRANSPORTING PREGNANT PERSONS IN CUSTODY

Persons in custody who are known to be pregnant should be restrained during transport in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

Absent exceptional circumstances, persons in labor or delivery should not be transported by officers. EMS personnel should be called to handle transportation.

903.10 CIVIL COMMITMENT TRANSPORTS

When transporting any individual for civil commitment, the transporting officer should request that Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual, and whether any special medical care is needed.

Should the person require transport in a medical transport vehicle, and the safety of any person, including the person in custody, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

See the Civil Commitments Policy for additional guidance.

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903.10.1 CLEARANCE REQUIRED

If transportation to an appropriate facility will require more than one hour to accomplish, the transporting officer should obtain medical clearance from a licensed independent practitioner who has examined the person within the last 24 hours who certifies that the person is in need of immediate care or treatment for mental illness and that the planned travel will not be detrimental to the person's physical health (ORS 426.228(3)).

903.11 INTERRUPTION OF TRANSPORT

Absent extraordinary circumstances, officers should not interrupt a transport to provide emergency assistance without supervisory approval. Officers encountering an emergency should notify Dispatch and request an appropriate response.

903.12 EXTENDED TRANSPORTS

During transports for extended durations, transporting officers may be required to make necessary stops. With supervisory approval and due consideration for security risks and the in-custody person's health and well-being, these stops should be limited to fuel, meals, bathroom breaks, and other purposes reasonably necessary for the continuation of the transport.

903.13 PROHIBITIONS

When transporting a person in custody, officers should not:

- (a) Use transport as a form of punishment or retaliation (e.g., intentionally rough rides, excessive heat or cold, obnoxiously loud music).
- (b) Handcuff a person to any part of a vehicle.
- (c) Leave the vehicle unattended with the person in custody in the vehicle.
- (d) Allow any person who is not in custody (e.g., friend, family member) to have contact with or be in close proximity to the person in custody.
- (e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.
- (f) Stop to conduct any personal activities.
- (g) Engage in a pursuit.

903.14 ESCAPES

In the event that a person in custody escapes while being transported, the transporting officer should immediately advise Dispatch and other units of the escape, provide a description of the escapee, notify the Shift Supervisor, and submit a written report as soon as practicable describing the circumstances of the escape and any recapture.

The Shift Supervisor should notify the Police Chief or the authorized designee upon learning of an escape.

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If the escape occurs outside the jurisdiction of the City of Sherwood Police Department, the Shift Supervisor should notify the appropriate agency or agencies within the jurisdiction where the escape occurred.

903.15 DOCUMENTATION

If a person is injured during transportation, officers should document the injury in the appropriate report. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other persons in custody). Any visible or reported injuries should be photographed and included with the report.

903.16 NOTIFICATIONS

Officers should notify a supervisor and any receiving facility of information regarding any circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

903.17 TRAINING

The Support Captain should provide periodic training on this policy and procedures related to transporting persons in custody, restraint systems, and restraint devices.

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the City of Sherwood Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the City of Sherwood Police Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Agency does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Agency will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.2.1 SELECTION

The selection of non-sworn employees will be administered by the City of Sherwood Department of Human Resources Manager and will include participation of police department personnel as designated by the Police Chief. Finalists will be interviewed by the Police Chief prior to appointment. A conditional job offer will be made contingent on submission of inked fingerprints for criminal history clearance as required by the Oregon State Police Criminal Justice Information System Division.

The recruitment and selection process for police officers will ensure that the applicant meets the standards and is tested as required by the Oregon Department of Public Safety and Training, (Oregon Administrative Rules, Chapter 259-008.) The initial phase of the selection process will determine whether the applicant meets the minimum qualifications as set forth in the job description. A formal job description will be established for every position within the agency, and will be periodically reviewed and updated. The City of Sherwood Human Resources Manager will maintain current and accurate job descriptions that include required duties and responsibilities for all positions within the Sherwood Police Department. The subsequent phases of the process will progressively eliminate unsuitable candidates and advance the most qualified applicants; who must successfully complete the following:

- Oregon Physical Abilities Test
- National Police Officer Selection Test

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- Panel interviews
- Submission of a background packet, Personal History Questionnaire, and California Personality Inventory
- Initial non-medical assessment of the Personal History Questionnaire
- Submission of inked fingerprints for criminal records check
- Interview by command staff
- Conditional job offer
- Background investigation
- Review of background investigation
- Psychological assessment
- Medical test
- Appointment

This process may be modified to accommodate specific conditions or requirements of assignments. (An example of such modification may pertain to officers applying for lateral transfer that are currently certified in Oregon.)

1000.3 RECRUITMENT

The Administration Section Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administration Section Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Agency should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

Recruitment and Selection

1000.4 SELECTION PROCESS

The Agency shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Agency shall employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
 - 1. The personnel records of any applicant for officer or reserve officer shall be requested from any law enforcement agency where the applicant was previously employed and reviewed prior to extending an offer of employment (ORS 181A.667).
 - 2. Employment information from another law enforcement agency is confidential and may not be disclosed except as provided in ORS 192.355. The information received may only be used for investigative leads and shall be independently verified (ORS 181A.668).
- (b) Driving record
- (c) Personal and professional reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
 - 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.) and ORS 659A.320
- (g) Local, state, and federal criminal history record checks
- (h) Medical and psychological examination (may only be given after a conditional offer of employment)
- (i) Review board or selection committee assessment
- (j) Relevant national and state decertification records, if available, including the National Decertification Index

1000.4.1 VETERAN PREFERENCE

Veterans of the United States Armed Forces who served on active duty and current or former state servicemembers who meet the minimum qualification for employment may receive preference pursuant to ORS 408.230.

Recruitment and Selection

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the City of Sherwood Police Department (OAR 259-008-0015).

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Administration Section Commander should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The Administration Section Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The Agency fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Administration Section Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.5 STATE NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with ORS 659A.320.

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1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (OAR 259-008-0010; OAR 259-008-0300). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Agency and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by the Oregon Department of Public Safety Standards and Training (DPSST), including the following (OAR 259-008-0010; OAR 259-008-0300):

- (a) Be a citizen of the United States or a nonimmigrant legally admitted to the United States under a Compact of Free Association within 18 months of hire date
- (b) Be at least 21 years of age
- (c) Be fingerprinted for a check by the Oregon State Police Identification Services Section within 90 days of employment
- (d) Be free of convictions for any of the following:
 1. Any felony

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2. Any offense for which the maximum term of imprisonment is more than one year
 3. Any offense related to the unlawful use, possession, delivery, or manufacture of a controlled substance, narcotic, or dangerous drug
 4. Any offense that would subject the candidate to a denial or revocation of a peace officer license
- (e) Meet the moral fitness standards
 - (f) Possess a high school diploma, GED equivalent, or a four-year post-secondary degree
 - (g) Complete a medical examination
 - (h) Meet the physical standards requirements
 - (i) Complete a psychological screening (ORS 181A.485)
 - (j) Complete a law enforcement skills proficiency test

1000.7.2 STANDARDS FOR DISPATCHERS

Candidates shall meet the minimum standards established by DPSST, including the following (OAR 259-008-0011; OAR 259-008-0300):

- (a) Be fingerprinted for a check by the Oregon State Police Identification Services Section within 90 days of employment
- (b) Be free of convictions for any of the following:
 1. Any felony
 2. Any offense for which the maximum term of imprisonment is more than one year
 3. Any offense related to the unlawful use, possession, delivery, or manufacture of a controlled substance, narcotic, or dangerous drug
 4. Any offense that would subject the candidate to a denial or revocation of a telecommunicator license
- (c) Meet the moral fitness standards
- (d) Possess a high school diploma, GED equivalent, or a four-year advanced degree
- (e) Complete a medical examination
- (f) Meet the physical standards requirements
- (g) Complete a psychological screening

1000.8 PROBATIONARY PERIODS

The Administration Section Commander should coordinate with the Sherwood Department of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.

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- (d) Documenting successful or unsuccessful completion of probation.

Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the City of Sherwood Police Department.

1002.2 POLICY

The City of Sherwood Police Department determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Police Chief.

1002.3 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Tactical Negotiations Team member
- (b) Detective
- (c) Motorcycle Officer
- (d) Canine Handler
- (e) Field Training Officer
- (f) School Resource Officer
- (g) MHRT (Mental Health Response Team)
- (h) Mobile Field Force
- (i) CART (Crash Reconstruction Team)
- (j) Drone Team
- (k) CNU (Crisis Negotiation Unit)

1002.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) General requirements will be further described in job announcements
- (b)
- (c) Possession of or ability to obtain any certification required by the Department of Public Safety Standards and Training or law
- (d) Exceptional skills, experience, or abilities related to the special assignment

1002.3.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment

- (a) Presents a professional, neat appearance.

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- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expresses an interest in the assignment.
- (d) Demonstrates the following traits:
 - 1. Emotional stability and maturity.
 - 2. Stress tolerance.
 - 3. Sound ethical judgment and decision-making.
 - 4. Personal integrity and ethical conduct.
 - 5. Leadership skills.
 - 6. Initiative.
 - 7. Adaptability and flexibility.
 - 8. Ability to conform to department goals and objectives in a positive manner.

1002.3.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Police Chief to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
 - 1. The supervisor recommendations will be submitted to the Section Commander for whom the candidate will work.
- (b) Section Commander interview - The Section Commander will schedule interviews with each candidate.
 - 1. Based on supervisor recommendations and those of the Section Commander after the interview, the Section Commander will submit his/her recommendations to the Police Chief.
- (c) Assignment by the Police Chief.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Police Chief.

1002.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Sherwood Department of Human Resources.

Safety Belts

1012.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

Guidance for transporting persons in custody may be found in the Transporting Persons in Custody and Handcuffing and Restraints policies.

1012.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1012.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained (ORS 811.210).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1012.3 INOPERABLE SAFETY BELTS

Agency vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

Agency vehicle safety belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Police Chief.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1012.4 POLICY

It is the policy of the City of Sherwood Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1012.5 TRANSPORTING CHILDREN

A child restraint system should be used for all children of an age, height or weight for which such restraints are required by law (ORS 811.210).

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Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of safety belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1012.6 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1012.7 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Speech, Expression, and Social Networking

1032.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the City of Sherwood Police Department (ORS 181A.689).

This policy applies to all forms of communication including but not limited to digital media, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1032.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the City of Sherwood Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Agency will carefully balance the individual member's rights against the needs and interests of the Agency when exercising a reasonable degree of control over its members' speech and expression.

1032.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of City of Sherwood Police Department members, such as posting personal information in a public forum or posting a photograph taken with a Global Positioning System (GPS)-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family, or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.

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- Disclosing the address of a fellow department member.
- Otherwise disclosing where another officer can be located off-duty.

1032.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the safety, performance, and public-trust needs of the City of Sherwood Police Department, the following are prohibited unless the speech is otherwise protected (e.g., a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Agency or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Agency and tends to compromise or damage the mission, function, reputation, or professionalism of the Agency or its members. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 2. Expression that demonstrates support for criminal activity.
 3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Agency (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing members by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Agency.
- (f) Use or disclosure, through whatever means, of any information, photograph, digital media, or other recording obtained or accessible as a result of employment or appointment with the Agency for financial or personal gain, or any disclosure of such materials without the express authorization of the Police Chief or the authorized designee (or any other act that would constitute a misuse of public information in violation of ORS 162.425).
- (g) Posting, transmitting, or disseminating any photographs, digital media or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the City of Sherwood Police Department on any personal or social networking or other website or web page, without the express authorization of the Police Chief.

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Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1032.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the City of Sherwood Police Department or identify themselves in any way that could be reasonably perceived as representing the Agency in order to do any of the following, unless specifically authorized by the Police Chief:

- (a) Endorse, support, oppose, or contradict any appointment, nomination, or election of a person to public office (ORS 260.432).
- (b) Endorse, support, oppose, or contradict any initiative, recall petition, or referendum (ORS 260.432).
- (c) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (d) Endorse, support, or oppose any product, service, company, or other commercial entity.
- (e) Appear in any commercial, social, or nonprofit publication; or any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that a member, acting in their individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the City of Sherwood Police Department.

A notice of restrictions on political activities by members will be posted and maintained by the Agency in a place that is conspicuous to all members as required by law (ORS 260.432).

Members retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

1032.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site, including social media, that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

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1032.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Police Chief or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Agency or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Agency.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of their duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Agency.

1032.7 TRAINING

Subject to available resources, the Agency should provide training regarding the limitations on speech, expression, and use of social networking to all members of the Agency.

Wellness Program

1036.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members (ORS 181A.487).

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1036.1.1 DEFINITIONS

Definitions related to this policy include:

Critical incident – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

Peer support – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

1036.2 POLICY

It is the policy of the City of Sherwood Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Agency will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1036.3 WELLNESS COORDINATOR

The Police Chief should appoint a trained wellness coordinator. The coordinator should report directly to the Police Chief or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.

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2. When practicable, the Agency should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
1. Peer support member selection and retention.
 2. Training and applicable certification requirements.
 3. Deployment.
 4. Managing potential conflicts between peer support members and those seeking service.
 5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
1. Defining the types of incidents that may initiate debriefings.
 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
1. Obtaining a written description of the program services.
 2. Providing for the methods to obtain program services.
 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
 5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.
- (g) Assisting members who have become disabled with application for federal government benefits such as those offered through the Public Safety Officers' Benefits Program (34 USC § 10281 et seq.).
1. The coordinator should work with appropriate Agency liaisons to assist qualified members and survivors with benefits, wellness support, and counseling services, as applicable, when there has been a member death (see the Line-of-Duty Deaths Policy for additional guidance).

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1036.4 AGENCY PEER SUPPORT

1036.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

1036.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
 1. Stress management.
 2. Suicide prevention.
 3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
 1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

1036.4.3 PEER SUPPORT MEMBER TRAINING

A department peer support member shall complete department-approved training prior to being assigned (ORS 181A.835).

1036.5 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support members and those directly involved in the incident.

Wellness Program

1036.6 PEER SUPPORT COMMUNICATIONS

Any communications made by a member or peer support member while receiving or providing individual or group peer support services and any oral or written information conveyed in the session are confidential and may only be disclosed in accordance with ORS 181A.835.

Any communications relating to peer support services made between peer support members or between peer support members and the supervisors or staff of an employee assistance program are confidential and may only be disclosed in accordance with ORS 181A.835.

All communications, notes, records, and reports arising out of peer support services are not considered public records subject to disclosure under ORS 192.311 et seq. (ORS 181A.835).

1036.7 PHYSICAL WELLNESS PROGRAM

The coordinator is responsible for establishing guidelines for an on-duty physical wellness program, including to following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment
- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for physical fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

1036.8 WELLNESS PROGRAM AUDIT

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

Wellness Program

The coordinator should present the completed audit to the Police Chief for review and consideration of updates to improve program effectiveness.

1036.9 TRAINING

The coordinator or the authorized designee should collaborate with the Support Captain to provide all members with regular education and training on topics related to member physical and mental health and wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of physical exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Support Captain as appropriate for inclusion in training records.

TO: Sherwood City Council

FROM: Craig Sheldon, City Manager

SUBJECT: Resolution 2026-023, Authorizing the renewal of the Municipal Judge's contract and an increase in Compensation

Issue:

Shall the City Council renew the contract for the Municipal Judge and approve an increase in compensation from \$135 per hour to \$142 per hour?

Background:

The City Council appoints and employs the Municipal Judge for the City of Sherwood. The present contract for the Municipal Judge expired on February 21, 2026. Judge Jack Morris has been Sherwood's municipal court judge for over 30 years and would continue to perform those duties. City Council has appointed a subcommittee comprised of Sherwood Council members to evaluate Judge Morris's compensation. Presently, Judge Morris is paid at the rate of \$135 per hour. In 2025, Judge Morris worked approximately 267 hours and was compensated \$36,045. Staff expects the number of worked hours for 2026-27 to increase by around 50 hours. The subcommittee recommends an increase in compensation from \$135 to \$142 hourly.

Financial Impacts:

The increase in hourly rate is approximately \$7,000 annually. This is an immaterial amount to the overall Administration department and will not likely require a supplemental budget at this time.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2026-023, Authorizing the renewal of the Municipal Judge's contract and an increase in compensation.



RESOLUTION 2026-023

AUTHORIZING THE RENEWAL OF THE MUNICIPAL JUDGE’S CONTRACT AND AN INCREASE IN COMPENSATION

WHEREAS, Section 36 of the Sherwood City Charter authorizes the City Council to employ a Municipal Court Judge; and

WHEREAS, it appears to Council that it is necessary and appropriate to renew the Municipal Judge’s contract and amend the Municipal Judge’s compensation.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The contract of the Municipal Judge is renewed for a term of three (3) years and compensation for the Municipal Judge position shall be set at \$142 per hour as of the date of this resolution.

Section 2. The Mayor is hereby authorized to modify, renew, and execute an employment contract with Judge Morris that substantially conforms to the terms of the original contract approved by this Council as Resolution 2023-013, however, schedule A, shall be amended as attached hereto.

Section 3. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 5th day of May 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

SCHEDULE A

**CITY OF SHERWOOD
MUNICIPAL COURT JUDGE EMPLOYEE AGREEMENT
2026-2029**

Employee	Hourly Rate
Judge Jack Morris	\$142
Pro Tem Judges	\$125

Agenda Item: Public Hearing

TO: Mayor Rosener and Sherwood City Council

FROM: Eric Rutledge, Community Development Director
Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: **Resolution 2026-024, Authorizing the City Manager to Execute a Purchase and Sale Agreement for a 0.98-acre Property Located at 22468 SW Pacific Highway, Sherwood, Oregon**

Issue:

Shall City Council authorize the City Manager to execute a purchase and sale agreement for 0.98-acre property located at 22468 SW Pacific Highway?

Background:

The City has been in discussions with a prospective buyer regarding the terms of a Purchase and Sale Agreement (PSA) for the property located at 22468 SW Pacific Highway. Those discussions are ongoing, and final terms have not yet been agreed upon.

Staff Recommendation:

Staff recommends that the City Council continue the public hearing to a date certain to allow additional time for the City and the buyer to finalize the terms of the proposed transaction.

Attachments

Attachment 1 – Map of Subject Property




2S131B000300

PACIFIC

PACIFIC

FOREST CREEK

PINEHURST

 Subject Property

Date: 12/19/2025



0 50 100 200
Feet

Resolution 2026-002
Attachment to Staff Report
January 6, 2026 Page 1 of 1

Map data provided by METRO and the City of Sherwood. The City of Sherwood's infrastructure records, drawings, and other documents have been gathered over many years, using many different formats and standards. While the data provided is generally believed to be accurate, occasionally it proves to be incorrect; thus its accuracy is not guaranteed.



RESOLUTION 2026-024

AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PURCHASE AND SALE AGREEMENT FOR A 0.98-ACRE PROPERTY LOCATED AT 22468 PACIFIC HWY, SHERWOOD, OREGON

WHEREAS, the City of Sherwood desires to sell the property located at 22468 SW Pacific Hwy; and

WHEREAS, the City of Sherwood obtained the property through a land donation on November 27, 2024; and

WHEREAS, the City has been in negotiations with a potential buyer, and as of the date of this public hearing a Purchase and Sale Agreement has not been finalized; and

WHEREAS, a public hearing has been properly noticed per ORS 221.725 and will be continued to a time and date certain to allow interested parties an opportunity to provide public testimony and to allow continued negotiations; and

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Manager is hereby authorized to continue negotiating a Purchase and Sale Agreement for property located at 22468 SW Pacific Hwy, Sherwood.

Section 2. Upon holding a public hearing, the hearing will be continued to a time and date certain and said agreement will come before the City Council as Exhibit A to this resolution for consideration of adoption.

Section 3. This resolution shall become effective upon adoption by the City Council.

Duly passed by the City Council on [DATE], 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder