



MEETING AGENDA



| Police Advisory Board | |
|---|---|
| Date & Time: | Thursday – August 15, 2024 7:00 pm |
| Location: | Sherwood Police Department, Community Room 20495 SW Borchers Drive, Sherwood 97140 |
| <u>Attendees</u> | |
| P.A.B. Members: | Council Liaison: |
| Brian Dorsey - Chair | Council President Kim Young |
| Richard Amicci (TSC Liaison) - Vice Chair | City Staff: |
| Diane Foster | Chief Ty Hanlon |
| Brandi Morton | Angie Hass-Executive Assistant |
| Lawrence O'Keefe | |
| Mike Schultz | |
| Amanda van Arcken | |
| Chris West | |
| Laurie Zwingli | |

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

1. Call to Order (Chair)
2. Roll Call (Chair/Staff)
3. Approval of June & July Meeting Minutes (Chair)
4. *Citizen Comments
5. Board Member Announcements (Chair)
6. Business
 - A. August Policy Updates – Board Review, Chief Hanlon
7. Traffic Safety Committee Update (TSC Liaison)
8. Councilor News
9. Staff Report(s)
10. Adjourn (Chair)

***How to Provide Citizen Comments:** Citizen comments may be provided in person, in writing, or by telephone. Sign-up forms will be available at the meeting for anyone who wishes to provide comments in person. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by email to policeinformation@sherwoodoregon.gov and must clearly state that it is intended as a general Citizen Comment for this meeting. To provide comment by phone during the live meeting, email or call, 503-625-5523, #2, at least 24 hours in advance of the meeting start time in order to receive dial-in instructions. In-person and telephone comments are limited to 4 minutes per person. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their name and by their city of residence." Anonymous comments will not be accepted into the meeting record.

If you require an ADA accommodation for this public meeting, please contact the Sherwood Police Department at (503) 625-5523, #2 or policeinformation@sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time.



Meeting Minutes



| Police Advisory Board | |
|------------------------------|--|
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This meeting was recorded and is available for viewing through the City of Sherwood’s YouTube channel:

<https://www.youtube.com/watch?v=Hq5bHb0iX1Q>

1. Call to Order

Chair Dorsey called the meeting to order at 7:00 p.m.

2. Roll Call

Board Members Present: Chair Brian Dorsey, Vice Chair Richard Amicci, Diane Foster, Lawrence O’Keefe and Chris West

Board Members Absent: Brandi Morton, Mike Schultz, Amanda van Arcken and Laurie Zwingli

Staff Present: Chief Ty Hanlon and Executive Assistant-Angie Hass (Council President Kim Young was absent.)

3. Approval of June & July Meeting Minutes

Mr. West moved that the June and July meeting minutes be approved as presented and Mr. O’Keefe seconded the motion. All present board members voted in favor of approval.

4. Citizen Comments

N/A

5. Board Member Announcements (Chair)

Vice Chair Amicci wasn't able to attend this year's National Night Out (NNO) event. He does plan to attend the next Movies in the Park at Stella Olsen Park with his family. The movie will be Wonka and there will also be a movie the following weekend. Community members have two more chances to attend these community events before school starts.

Mr. West said that he had a meeting that evening, but that his family attended NNO. They had a fun time.

Mr. West stated that his LinkedIn account shows that he is a member of the Police Advisory Board. Every once in a while, he gets weird inquiries, messages and e-mails, involving police stuff. That week, he had received a bunch of job referrals and proceeded to share a few with the group. He thought it was very interesting.

Chair Dorsey also attended NNO and assisted with the take down. He had a lot of fun.

With a lot of work being done on the roads, Chair Dorsey asked Chief Hanlon if the PD had seen an uptick with ticketing in construction zones. The Chief wasn't sure if there had been an uptick. It is challenging for officers to find good locations to sit in those zones. Officers Pierce and Brinkman do spend a fair amount of time on Roy Rogers and Tualatin-Sherwood. He doesn't know if a lot of tickets are being written, but having a police presence is always a big deal. Hopefully, within the year, photo enforcement will come back on. Mr. O'Keefe appreciated seeing an officer sitting at the four way stop at Sunset and Pinehurst.

Ms. Foster shared that the Portland Airport has opened the newly constructed section and that it looks very cool. There are lots of videos available on social media to watch showing the new section. In Port of Portland fashion, they don't charge more for food or retail shops at the Port of Portland, than they do in the city. This has been one of their core values for a long time.

Chief Hanlon introduced the new City Manager, Craig Sheldon, who was in attendance. Craig stated that he is trying to get to all of the board meetings, in the next few weeks. He thanked the board members for all of their volunteer time. It means a lot to him and to the city.

6. Business (Chair / Staff)

A. Policy Updates – Review (Chief)

See exhibit "A".

Chief Hanlon went over a few more policy updates. The hope was to include with the previous month's updates, so all can go to the City Council at one time.

There were two policy updates for review, Missing Persons and Vehicle Towing. For many years, the PD would tow vehicles, for lots of reasons. For a handful of years, now, they rarely tow vehicles. A lot of people know this and after being detained, cited and/or arrested, they will wait for a while and then go get their vehicle, regardless of whether they are suspended, etc. It is somewhat frustrating from a law enforcement prospective.

Vice Chair Amicci asked if a property owner can request a tow. The Chief replied that they can, but they have to pay the bill. Vice Chair Amicci asked if the PD orders the tow, does the suspect have to pay? The Chief explained how that works. If the vehicle is towed as a hazard, the vehicle owner has to pay. If the PD tows for evidence (for example), the PD has to pay. That doesn't happen very often. Chair Dorsey asked if the PD can boot the vehicle. The Chief stated that they cannot. He talked a bit about the challenge with crowded jails and how many times the defendant is released right away and can immediately go get their car.

Separate from the policy topic, Mr. West talked about the laws regarding "beggars". He spoke of some he's seen in Tigard. He was told if they're on the highway, that would be the jurisdiction of State Troopers. If they are begging on a city street, the local PD would be the responders. Mr. West asked how Sherwood PD responds to these things. The Chief shared when they would get involved and when they will just leave the panhandlers alone. Thankfully, Sherwood doesn't get a lot of them.

Ms. Foster asked if people can just come to residences selling things. She had noticed a huge uptick, lately. The Chief explained that in some cases they do need to get a permit to go door to door through the City of Sherwood. Mr. West and Mr. O'Keefe stated that when someone comes to their doors, they do ask the person if they have a city permit.

A discussion ensued regarding suspicious people seen on ring cameras. The Chief stated that if something looks suspicious, to call the non-emergency dispatch number. He said that some people are hesitant to call, but they do appreciate people calling in suspicious people and behaviors, etc.

Chief Hanlon stated that the updates to the Missing Persons policy contains mostly grammatical changes and a little clean up on the wording. Most of the missing people they have are runaway juveniles or citizens with dementia. Generally, the officers are able to locate them pretty quickly.

Mr. West made a motion to recommend that the Chief move the updates up to the City Council for approval. Vice Chair Amicci seconded the motion and all present board members approved.

7. Traffic Safety Committee (TSC) Update

Vice Chair Amicci reported that there was not a July TSC meeting, so there were no updates to share.

8. Councilor News

Council President Young was unable to attend.

9. Staff Report(s)

Chief Hanlon shared that the Washington County DA, Kevin Barton, and his office, were awarded a 1.5-million-dollar retail theft grant. This is very exciting news. DA Barton is very passionate about retail theft. This money is going towards overtime for police officers and loss prevention officers, as well as provide funds for small businesses to buy security cameras. They have made an agreement with Yamhill County to rent beds in order to lodge the people that they are arresting. Money will also be going towards license plate readers. License plates are their biggest tool. It is exciting to finally be able to arrest people for these crimes. He talked about the challenge with

citing offenders and them being able to just drive away. Signs will be posted outside stores stating that "you will be prosecuted". Ms. Foster has noticed that some places are putting additional things in place to help deter shoplifters, specifically Walmart and Target. Target has more items locked up throughout various departments. A conversation ensued.

The Chief talked about the Deflection Program for Washington County. DA Barton had stopped by the PD the day before and talked about the program with the department. They will now be able to convict for possession of personal amounts of meth, heroine, coke and crack. Marijuana is still the exception. The purpose of the program will be to give people an opportunity to go through the program for addiction, etc. It is very similar to DUI's. It doesn't come into play if they are arrested for another crime. This is a standalone crime. Chair Dorsey asked if officers take the offenders to the treatment centers. The Chief explained that when someone is cited, they are given a seven day notice. They would have to contact the DA's Office to sign up for the Deflection Program. If they don't, then a warrant will be issued and they would, then, go to jail. There will be a short leash on them in the sense that they will need to comply and they will need to do it quickly. Chair Dorsey asked what would happen if someone gives a false name. Chief Hanlon stated that officers can figure those things out pretty quickly.

Chief Hanlon reported that this year's NNO turned out very well. The weather was better than recent years. On the morning of the event, the water feature wasn't working. Fortunately, Harry from Public Works was able to do a temporary fix, as the replacement parts weren't expected for days. Vice Chair Amicci saw that Miss B was out and about and wondered if she is with her new handler now. The Chief stated that she is with her new handler, but not working yet. Her new handler has to complete training first. He anticipated that she will be back to work by November.

Officer Perry's retirement ceremony was by far the best one they'd had so far. A lot of heartwarming stories were told. Officer Perry's wife and grown children were all able to attend. The officer that was hired to fill his position, had just completed training, so the timing was good.

Officer Abernathy is back on patrol. Officer Mitchell will return later that month.

Chair Dorsey stated that the Reserve Officers are doing great. He, and other board members, had seen them at some of the different summer events.

Chief Hanlon reported that they are opening up the hiring process for police officer applicants, to help fill for future retirements. It takes a full year for entry level officers, before they can go solo. If any of the Reserve Officers apply and are selected, they will have a leg up, but will still have to go through the academy, etc. Mr. West asked about Captain Carlson's retirement. The Chief said that he is hoping Captain Carlson will stay through 2025. He talked about how beneficial Career Cycle Planning has been to the department, especially with the retiring of so many over the last few years. Hopefully, that should slow down for a couple years.

Chair Dorsey asked about the Drone Program. Chief Hanlon said that they have two officers going through the interview process. Eventually, they hope to have three or four licensed pilots. They have one officer who is licensed and a couple more working on it, including himself. Tualatin PD is in the process of getting some and Tigard PD already has. Gresham PD is ahead of them all and has a very advanced program. Mr. O'Keefe asked if the drones have the heat seeking ability. Chief replied that they do.

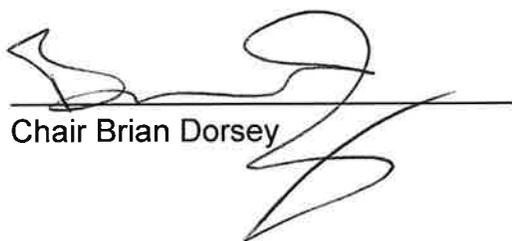
Mr. O'Keefe reminded everyone of the upcoming 9/11 Commemorative Blood Drive at the Sherwood PD.

10. Adjourn (Chair)

At 8 pm, Mr. O'Keefe made a motion to adjourn the meeting and Mr. West seconded the motion. All board members voted in favor.

The next meeting is scheduled for September 19th at 7 p.m.

Approval of Minutes:


Chair Brian Dorsey

10/17/2024
Date

Attest:


Angie Hass-Executive Assistant

10/17/2024
Date

Exhibit "A"

Policy

Priority

Chapter 3 – General Operations

Missing Persons

Major

Chapter 5 – Traffic Operations

Vehicle Towing

Critical

Total: 2

Chapter 3 – General Operations

Missing Persons

This policy has been updated because legislative action impacts its content. This update should be accepted and implemented as soon as possible. 2022 US S 5230 amended law by requiring agencies to enter missing persons into the National Missing and Unidentified Persons System (NamUs) in addition to the National Crime Information Center (NCIC). Changes to this policy include:

- In **DEFINITIONS**, content has been updated to include a reference to NamUs, gendered pronouns have been removed, and punctuation has been corrected.
- In **DETECTIVE BUREAU FOLLOW-UP**, content that is now required by law has been removed, content has been updated for clarity, a text entity has been added, and serial commas have been added. The section name is based on a text entity and may vary depending on how you answered the General Information Questionnaire.
- In **UNIDENTIFIED PERSONS**, content has been updated to include a reference to NamUs, and a text entity and gendered pronouns have been removed.

Unrelated to the legislative update, additional changes include:

- In **INITIAL INVESTIGATION**, a citation has been added, gendered pronouns have been removed, and the Edit Level has been changed from "Best Practice" to "Federal."

Chapter 5 – Traffic Operations

Vehicle Towing

This policy has been updated because a recent court decision has impacted its content. The update should be accepted and implemented as soon as possible. State v. Sevits, 333 Or. App. 745 established a requirement that notice and opportunity to remove personal items from a vehicle must be given before an inventory is conducted. Changes to this policy include:

- In **OPPORTUNITY TO REMOVE PROPERTY**, content has been added to address the new requirement.

Unrelated to the court decision, additional changes include:

- In **ARREST SCENES**, content has been added to clarify reasons impounds are authorized, and a citation has been moved.
- In **VEHICLE STORAGE REPORT** and **NOTICE AFTER TOW**, text entities have been added.

Missing Persons

318.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

318.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - This includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
 1. Out of the zone of safety for ~~his/her~~ [their](#) chronological age and developmental stage.
 2. Mentally or behaviorally disabled.
 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
 5. In a life-threatening situation.
 6. In the company of others who could endanger ~~his/her~~ [their](#) welfare.
 7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
 8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
 9. Intellectual or developmental disability, or an impaired mental condition such as dementia or brain injury (ORS 181A.320).
 10. A victim of first- or second-degree custodial interference or kidnapping (ORS 181A.310).

Missing person - Any person who is reported missing to law enforcement when that ~~person's~~ [person's](#) location is unknown.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the [National Missing and Unidentified Persons System \(NamUs\)](#), the [Oregon Law Enforcement Data System \(LEDS\)](#), and the Oregon State Police Missing Children Clearinghouse.

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318.2 POLICY

The City of Sherwood Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The City of Sherwood Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

318.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation Unit Supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

318.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

318.4.1 MISSING JUVENILES LOCATED

In any case where a juvenile has been reported as missing or runaway, physical contact shall be made in person with the located and/or found juvenile to ensure the procedures in policy 332.4 are followed, prior to clearing any juvenile from LEDS and NCIC. Specifically, the officer should verify;

- The safety of the juvenile in question.
- The identity of the juvenile.
- The circumstances surrounding their disappearance.

318.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.

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- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "~~Be-~~ Be on the Look-~~Out~~" Out (BOLO) bulletin" if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be at risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 - 1. Immediately, when the missing person is at risk.
 - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report ([34 USC § 41308](#)).
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing ~~person's-~~ person's location through ~~his/her-~~ their telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

318.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

318.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Section.

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- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

318.6.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigation Unit.
- (e) Coordinating with the NCIC Terminal Contractor for Oregon to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

318.7 INVESTIGATION UNIT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing ~~person's~~ person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the ~~juvenile's~~ child's student file, along with the ~~investigator's~~ investigator's contact information, if the school receives a call requesting the transfer of the missing ~~child's~~ child's files to another school.
- (b) Should re-contact the reporting ~~person~~ party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (c) Shall, if the person has not been located within 30 days, ensure that a biological sample, if available, is forwarded to the Oregon State Police (ORS 146.187).

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- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update the Oregon LEDS, the Oregon State Police Missing Children Clearinghouse, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to Oregon State Police and enter the photograph into applicable missing person networks (34 USC § 41308).
- (k) ~~Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).~~
- (l) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

318.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Support Captain shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Oregon State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to the Oregon State Police.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

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- (f) All information and materials obtained for the purpose of identifying the missing person are destroyed if the person is found, or sealed if the person is found to be no longer living (ORS 146.189(2)).

318.8.1 UNIDENTIFIED PERSONS

~~Agency members-~~ Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying ~~him/herself~~ themselves should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified ~~person's~~ person's description into the NCIC Unidentified Person File and the NamUs database.
- (c) Use available resources, such as those related to missing persons, to identify the person.

318.9 CASE CLOSURE

The Investigation Unit Supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Sherwood or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

318.10 TRAINING

Subject to available resources, the Support Captain should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 1. Assessments and interviews
 2. Use of current resources, such as Mobile Audio Video (MAV)
 3. Confirming missing status and custody status of minors
 4. Evaluating the need for a heightened response

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5. Identifying the zone of safety based on chronological age and developmental stage
 - (b) Briefing of department members at the scene.
 - (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
 - (d) Verifying the accuracy of all descriptive information.
 - (e) Initiating a neighborhood investigation.
 - (f) Investigating any relevant recent family dynamics.
 - (g) Addressing conflicting information.
 - (h) Key investigative and coordination steps.
 - (i) Managing a missing person case.
 - (j) Additional resources and specialized services.
 - (k) Update procedures for case information and descriptions.
 - (l) Preserving scenes.
 - (m) Internet and technology issues (e.g., Internet use, cell phone use).
 - (n) Media relations.
 - (o) Interacting with individuals with cognitive impairment, including dementia, intellectual and developmental disabilities, and brain injuries (ORS 181A.320).

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 POLICY

The City of Sherwood Police Department will tow vehicles when appropriate and in accordance with the law.

502.3 NOTICE PRIOR TO TOW

When circumstances permit, (e.g., when towing a vehicle for parking or registration violations and the vehicle does not constitute a hazard), the Records Section should make a good-faith effort to provide notice that is reasonably calculated to apprise the owner of the vehicle that it is subject to towing and impoundment.

502.4 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Agency members may assist by communicating requests through Dispatch to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member when the vehicle is (ORS 819.120):

- (a) Parked so that any part of the vehicle extends into the paved portion of the travel lane.
- (b) Parked so that any part of the vehicle extends into the highway shoulder or bicycle lane of any freeway.

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or comply with posted signs.

502.5 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

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Vehicle Towing

[While Oregon law may authorize the impoundment of a vehicle for issues such as driving with a suspended or revoked license \(ORS 809.720\), impounds are only authorized if, in such cases, leaving the vehicle would create a hazard, obstruction, or a risk of loss.](#)

The following are examples of situations where a vehicle should not be towed- ~~(ORS 809.720)~~:

- The vehicle can be legally parked, left in a reasonably secure and safe location, and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing, and able to legally take control of the vehicle.
- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Agency will not be responsible for theft or damages.

502.6 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence (ORS 133.535).

Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, as long as the vehicle is not needed for evidence.

502.6.1 STATE REQUIREMENTS

The impounding officer should take reasonable steps to protect against loss or damage to impounded vehicles and any contents that may have been taken as evidence (ORS 133.537).

If a recovered stolen vehicle is towed, the officer shall share the owner's contact information, including the person's home address and telephone number, with the towing service that assumes control of the vehicle (ORS 98.857).

502.7 RECORDS

Records Section members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.7.1 VEHICLE STORAGE REPORT

Agency members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the ~~[recordsBureau]~~ [Records Section](#) as soon as practicable after the vehicle is towed. _

502.7.2 NOTICE AFTER TOW

Within 48 hours, excluding weekends and holidays, of a vehicle being towed, it shall be the responsibility of the ~~[recordsBureau]~~ [Records Section](#) to send a notice of tow to all registered

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owners and others having a recorded interest in the vehicle. Notice shall be sent to all such individuals by certified mail. The notice shall include (ORS 819.180):

- (a) That the vehicle has been taken into custody and towed; the identity of the appropriate towing authority; and the statute, ordinance, or rule under which the vehicle has been taken into custody and towed.
- (b) The location of the vehicle, or the telephone number and address of the authority that will provide that information.
- (c) That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of the notice, and the daily storage charges.
- (d) That the vehicle and its contents are subject to a lien for payment of the towing and storage charges, and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by a date specified by the appropriate authority.
- (e) That the owner, possessor, or person having an interest in the vehicle and its contents is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and towing it, and to contest the reasonableness of the charges for towing and storage if a hearing is requested in a timely manner.
- (f) The time within which a hearing must be requested and the method for requesting a hearing.
- (g) That the vehicle and its contents may be immediately reclaimed by presentation to the appropriate authority of satisfactory proof of ownership or right to possession, and either payment of the towing and storage charges or the deposit of cash security or a bond equal to the charges with the appropriate authority. _

502.8 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Agency. A rotation or other system established by the Agency for tow services should be followed.

502.9 VEHICLE INVENTORIES

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle, including but not limited to the glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats, and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including but not limited to unlocked glove compartments, unlocked vehicle trunks, and unlocked car-top containers.

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- (c) Any locked compartments, including but not limited to locked glove compartments, locked vehicle trunks, locked hatchbacks, and locked car-top containers, should be inventoried, provided the keys are available and are to be released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses, fanny packs, personal organizers, briefcases, or other closed containers designed for carrying money, small valuables, or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the inventory report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner or booked into property for safekeeping.

Any cash, jewelry, or other small valuables located during the inventory process will be held for safekeeping, in accordance with the Property and Evidence Policy. A copy of the property receipt should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members, and protecting the Agency against fraudulent claims of lost, stolen, or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9.1 OPPORTUNITY TO REMOVE PROPERTY

In the event that the owner, operator, or occupant of a vehicle to be impounded is present at the scene and not subject to arrest, [prior to commencing](#) the [inventory the](#) officer shall provide notice and opportunity to that person to take readily retrievable personal belongings (e.g., purse, backpack, cigarette pack) from the vehicle that are not considered evidence or contraband.

502.10 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator, or occupant

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to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Agency in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or the owner's agent to request a hearing to contest the tow.