

*Please Note: This is a working draft of Directive 0660.10, Photography and Digital Media. The PPB has not implemented any portion of this draft. Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

A redline copy of the updated directive is included in this attachment.

0640.02 Photography and Digital Media

Second Universal Review: 4/1/24 – 5/1/24

Refer:

- DIR 0620.00 Body Worn Camera Use and Management
- DIR 0640.10 Crime Scene Procedures
- DIR 0640.15 Measure 11 Archive Protocols
- DIR 0660.10 Evidence and Property Procedure

Definitions:

- Axon Capture: A digital phone application that allows the user to capture digital images and directly upload them to a digital record keeping system.
- Body-Worn Camera (BWC): An audio and video recording device that is worn by a Bureau member and is capable of capturing and storing information regarding the member’s activities and interactions with members of the public.
- Digital imaging: The recording of an image, or video, via digital code, which is viewable using a corresponding computer software application.
- Digital Information Management System (DIMS): An electronic database maintained by the Forensic Evidence Division to store and track digital media.
- Evidence.com: An electronic database developed by Axon and used by the Portland Police Bureau to store and track digital media.
- Major Crime Scene: Any homicide, member involved shooting, fatal traffic collision, or suspicious death, autopsy or Measure 11 crime.

Policy:

1. This directive establishes rules for the capture, upload, and maintenance of digital images and media.
2. The Portland Police Bureau recognizes that there is a need to photographically document crime scenes and injuries to victims to facilitate the investigative process. These images are evidence in these cases and should be treated as such. This policy does not cover non-evidentiary photographs or non-evidentiary digital images.

Procedure:

1. Member Responsibilities:

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- 1.1. Photographing Crime Scenes: In any instance where photographs and/or video may benefit an investigation, members will use their Bureau issued phone to take photographs and/or video.
 - 1.1.1. When practicable, members will use Axon Capture to capture digital imaging.
 - 1.1.2. Members may not alter content of photographs or video in any way.
 - 1.1.2.1. Trained Forensic Evidence Division (FED) Members may use alternate light source photography, and other similar techniques to facilitate evaluating photographic evidence.
 - 1.1.3. Members may use a BWC to capture general evidence such as a walkthrough of a crime scene, but specific evidence, such as injuries should always be captured using a Bureau issued phone when practicable.
 - 1.1.4. With supervisory approval members may consult with the Forensic Evidence Division to request assistance with photographing a crime scene or specific piece of evidence.
- 1.2. Uploading and storing digital imaging: Members shall include the relevant case number and member identification on any uploaded digital imaging.
 - 1.2.1. When practicable, members shall upload images to Evidence.com.
 - 1.2.1.1. Members may use Axon Capture to collect digital imaging from members of the public.
 - 1.2.2. When Evidence.com is unavailable, or it is not feasible to upload digital imaging, members should consult with FED, or use alternate systems.
2. Forensic Evidence Division (FED) Responsibilities:
 - 2.1. FED Criminalists will have primary responsibility for documenting evidence at major crimes scenes.
 - 2.1.1. If responding, FED will capture digital imaging using a Bureau-issued camera.
 - 2.2. All evidentiary digital images will be archived in accordance with property and evidence procedures, Bureau archive protocols, city and state requirements, and federal guidelines.

[Provide Feedback Here](#)

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1. Member Responsibilities:

- 1.1. Photographing Crime Scenes: In any instance where photographs **and/or** video may benefit an investigation, members will use their Bureau issued phone to take photographs **and/or** video.

~~1.1.1. Members may use a BWC to capture general evidence such as a walkthrough of a crime scene, but specific evidence, such as injuries should always be captured using a Bureau issued phone. practicable~~

~~1.1.2.1.1.1.~~ When ~~feasible~~practicable, members will use Axon Capture to capture digital imaging.

~~1.1.2.~~ Members may not alter content of photographs or video in any way.

~~1.1.2.1.~~ Trained Forensic Evidence Division (FED) Members (FED) may use alternate light source photography, and other similar techniques to facilitate evaluating photographic evidence.

~~1.1.3.~~ Members may use a BWC to capture general evidence such as a walkthrough of a crime scene, but specific evidence, such as injuries should always be captured using a Bureau issued phone when practicable.~~practicable~~

~~1.1.3.1.1.4.~~ With supervisory approval members may consult with the Forensic Evidence Division (~~FED~~) to request assistance with photographing a crime scene or specific piece of evidence.

1.2. Uploading and storing digital imaging: Members shall include the relevant case number and member identification on any uploaded digital imaging.

1.2.1. When ~~feasible~~practicable, members shall upload images to Evidence.com.

1.2.1.1. Members may use Axon Capture to collect digital imaging from members of the public.

1.2.2. When Evidence.com is unavailable, or it is not ~~possible to upload digital imaging members may use DIMS.~~ feasible to upload digital imaging, members should consult with FED, or use alternate systems.

2. Forensic Evidence Division (FED) Responsibilities:

2.1. FED Criminalists will have primary responsibility for documenting evidence at major crimes scenes.

2.1.1. If responding, FED will capture digital imaging using a ~~digital Bureau-issued camera, SLR, or mirrorless, with an APS-C or larger sensor.~~ digital Bureau-issued camera.

~~2.2.~~ ~~FED is responsible for all printing or reproduction of investigative photographs and videos.~~

~~2.3.2.2.~~ All evidentiary digital images will be archived in accordance with property and evidence procedures, Bureau archive protocols, city and state requirements, and federal guidelines.

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COMPLETE

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Please provide feedback for this directive

COMMENTS on Photography and Domestic and Sexual Violence Directives, October 2023

To Chief Day, Inspector Buckley, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, Mayor/Police Commissioner Wheeler, US Dept. of Justice, Citizen Review Committee, Training Advisory Council and the Portland Police Bureau:

Below are comments from Portland Copwatch (PCW) on the four Directives posted for comment (<https://www.portland.gov/police/directives-overview>) in October.

There are some comments that apply to several of the Directives, such as being consistent about referring to people as survivors rather than victims. Some of the comments are carried over from our previous input on two of the policies.

The two being reviewed for the first time are on Photography and Domestic Violence committed by/against officers. This gives the Bureau the chance to follow our long-standing proposal to assign letters and numbers to all sections, including the "Refer" and "Definitions" sections. The references below are to Procedure Section unless otherwise noted.

640.02 PHOTOGRAPHY AND DIGITAL IMAGING

Technology's Rapid Pace: In the section called "Minimum Requirements for Digital Cameras," the Directive acknowledges that "the digital market changes rapidly." That said, while this section applies to police photos, it's not clear whether a person who has an older flip phone, other non-"smart" phone or digital camera could provide evidence with less than 3 mega pixel resolution if the picture accurately reflects a crime scene. Also, reports back on the use of Body Worn Cameras indicated that there were a number of stills generated during the pilot project. If BWC's can take stills, that might be noted in the "Photographing Crime Scenes" section which currently requires use of digital SLR cameras.

CONCLUSION

As always, we appreciate the opportunity to make comments on Bureau policy. We do wish more of our concerns would be addressed even though we are not a professional organization and we're not made up of practicing attorneys. We also continue to encourage the Bureau to engage the appropriate advisory bodies well in advance of issues relevant to their work, since most meet only once a month (or less frequently) and even with the new 30-day deadlines may not have time to submit comments.

Thank you
dan handelman and other members of
Portland Copwatch

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

Name **Portland Copwatch**
