Please Note: This is a working draft containing proposed changes to Directive 640.00. The PPB has not yet implemented the changes. The changes can be viewed in the redline draft included in this attachment.

Submit your comments using this survey. (https://www.surveymonkey.com/r/CWXTF92)

***Second Universal Review*: 7/15/25 – 8/14/25**

0640.00, Mobile Identification Device Use

Refer:

Criminal Justice Information Services (CJIS) Security Policy Version 5.9.1
ORS 131.615 Stopping of persons
ORS 133.535 Permissible objects of search and seizure
ORS 153.039, Stop and detention for violation
ORS 162.385 Giving false information to a peace officer in connection with a citation or warrant
ORS 807.570 Failure to carry or present license
ORS 807.620 Giving false information to police officer
DIR 0640.70, Fingerprinting and Photographing Juvenile Offenders
DIR 0650.00, Search, Seizure, and Inventories
DIR 0860.30, Citations-In-Lieu-Of-Custody
DIR 0870.30, Processing of Persons into MCDC
DIR 0870.50, Felony Processing of Adults
DIR 1010.00, Use of Force
FED SOP 2.114, Mobile Identification Device (MIDD) Processing Guidelines
FED SOP 3.105, Requests by Hospitals to Identify John Jane Doe

Definitions:

- Mobile Identification Device (MIDD): A portable, handheld scanner used to capture fingerprint images and electronically transmit the captured images to relevant law enforcement databases.

- Western Identification Network (WIN): A database consisting of fingerprint image contributions from Alaska, Washington, Oregon, Idaho, Wyoming, Montana, Utah, and Nevada.

Policy:

1. This directive establishes procedures for member use of Mobile Identification Devices (MIDDs) and provides guidance on identity verification assistance from the Forensic Evidence Division (FED).

2. Portland Police Bureau members may be in situations in which verifying a person's identity in the field is preferable to transporting the person to jail for fingerprinting and processing, such as for citation issuance. MIDDs and FED may assist members in such situations.

DRAFT

Please Note: This is a working draft containing proposed changes to Directive 640.00. The PPB has not yet implemented the changes. The changes can be viewed in the redline draft included in this attachment.

Submit your comments using this survey. (https://www.surveymonkey.com/r/CWXTF92)

***Second Universal Review*: 7/15/25 – 8/14/25**

3. MIDDs are tools and do not authorize members to do anything they could not otherwise do – MIDDs merely help members verify a person's identity. However, using MIDDs may constitute a search and/or seizure, therefore implicating a person's rights under the 4th Amendment to the United States Constitution and Article 1, Section 9 of the Oregon Constitution. Accordingly, outside of narrow circumstances (i.e. probable cause for the subject's arrest or Medical Examiner Office requests) members must have a search warrant or search warrant exception, such as consent or emergency aid, to use MIDDs.

Procedure:

1. Authorized Use.
   1.1. Only trained members may use MIDDs.

   1.2. Members shall only use MIDDs on compliant subjects.

   1.3. Members may use MIDDs on compliant subjects if:
      1.3.1. There is probable cause for the subject's arrest;
      1.3.2. The Medical Examiner Office requests that a member identify a deceased person; or
      1.3.3. The member has a valid search warrant or warrant exception. Refer to Directive 0650.00, Searches, Seizures, and Inventories for additional search guidance.

2. Restrictions.
   2.1. Members shall not use Force to identify a subject via MIDD.

   2.2. Members untrained in MIDDs shall not use MIDDs.

   2.3. Members shall not use MIDDs for "Assist" calls at hospitals unless the MIDD use falls under the emergency aid doctrine or other search warrant exception. Refer to Directive 0650.00, Searches, Seizures, and Inventories, for additional guidance.

3. Identification Process.
   3.1. Before using MIDDs, members should attempt to verify the subject's identity using other resources, such as Department of Motor Vehicles (DMV), Regional Justice Information Network (RegJIN), or booking photograph records.

   3.2. Members will capture the subject's prints with the MIDD and submit the images and five items of demographic information to FED and the Western Identification Network (WIN).

DRAFT

Please Note: This is a working draft containing proposed changes to Directive 640.00. The PPB has not yet implemented the changes. The changes can be viewed in the redline draft included in this attachment.

Submit your comments using this survey. (https://www.surveymonkey.com/r/CWXTF92)

***Second Universal Review*: 7/15/25 – 8/14/25**

3.3. The WIN system performs a one-to-many comparison of a "probe" sample to samples in the WIN database containing many fingerprint samples, and returns a candidate list to FED.

3.4. A FED member reviews the candidate list and performs fingerprint comparisons to make an identification, if possible. FED members typically provide identification results to the member in the field within approximately 10 minutes.

3.5. If the MIDD system is down or the member is unable to capture sufficient images, members may contact FED for assistance, and FED may perform additional identification services if available.

4. Member Reporting Responsibilities.
   4.1. Members shall document their use of MIDDs in a police report.

5. Dissemination of Information.
   5.1. Members shall comply with the CJIS Security Policy regarding dissemination of Criminal Justice Information, including Personally Identifiable Information.

DRAFT

0640.00 ~~IDENTIFICATION PROCEDURES~~, Mobile Identification Device Use

~~Index: Title~~

Refer:

Criminal Justice Information Services (CJIS) Security Policy Version 5.9.1
ORS ~~153.110 Enforcement~~131.615 Stopping of ~~Infractions; Issuance~~persons
ORS 133.535 Permissible objects of ~~Citations~~search and seizure
ORS 153.039, Stop and detention for violation
ORS 162.385 Giving false information to ~~Police Officer for~~ a ~~Citation~~peace officer in connection with a citation or warrant
~~ORS 419A.205 Fingerprinting and Photography of Juveniles~~
ORS 807.~~50~~ 570 Failure to carry or present ~~a~~ license
ORS 807.620 Giving false information to ~~a Police Officer for a Traffic Citation~~police officer
DIR ~~640~~0640.70, Fingerprinting and Photographing ~~Juveniles~~Juvenile Offenders
DIR ~~860~~0650.00, Search, Seizure, and Inventories
DIR 0860.30, Citations-In-Lieu-Of-Custody
DIR ~~870~~0870.30, Processing of Persons into MCDC
DIR ~~870~~0870.50 ~~Arrests~~, Felony Processing of Adults
DIR ~~880.30 Security Deposit, Setting Bail~~

~~PROCEDURE~~
~~(640~~1010.00**~~)~~**
~~Only voluntarily complying adults, not under arrest, and all juveniles arrested (refer DIR 640.70), will be processed at the Forensic Evidence Division (Forensics). All other individuals requiring fingerprinting and/or photographing will be processed as described in the following procedures and under the provisions~~, Use of ~~DIR 870.30.~~Force

~~ID Verification for Persons not Under Arrest~~
~~(640.00)~~

~~a. A voluntarily complying adult not under arrest but the subject of a police action may desire to verify his/her identity in order to avoid misidentification. In these situations, the individual may be escorted to Forensics where fingerprints and a photograph may be taken for the purpose of identity verification.~~

~~b. Photographs and fingerprints taken under these circumstances do not become part of the Bureau's permanent record, nor do they suffice for the statutory requirement of mugging and~~
FED SOP 2.114, Mobile Identification Device (MIDD) Processing Guidelines
FED SOP 3.105, Requests by Hospitals to Identify John Jane Doe

Definitions:

- Mobile Identification Device (MIDD): A portable, handheld scanner used to capture fingerprint images and electronically transmit the captured images to relevant law enforcement databases.

DRAFT

- Western Identification Network (WIN): A database consisting of fingerprint image contributions from Alaska, Washington, Oregon, Idaho, Wyoming, Montana, Utah, and Nevada.

Policy:

1. This directive establishes procedures for member use of Mobile Identification Devices (MIDDs) and provides guidance on identity verification assistance from the Forensic Evidence Division (FED).

Portland Police Bureau members may be in situations in which verifying a person's identity in the field is preferable to transporting the person to jail for fingerprinting~~.~~

~~c. If a jailable custody arrest or~~ and processing, such as for citation issuance ~~results from this action, the subject will be processed per the applicable directive.~~

~~**ID Verification: Z-Cite or C-Cite (640.00)**~~

~~1.~~2.~~a. In~~. MIDDs and FED may assist members in such situations ~~where the identity of a person to be cited for a violation or any non-jailable offense is either unknown or in question, members will attempt to verify the identity using an IBIS fingerprint device, IWS mug system, DMV, PPDS and LEDS - CCH files.~~.

~~b.~~

3. MIDDs are tools and do not authorize members to do anything they could not otherwise do – MIDDs merely help members verify a person's identity. However, using MIDDs may constitute a search and/or seizure, therefore implicating a person's rights under the 4th Amendment to the United States Constitution and Article 1, Section 9 of the Oregon Constitution. Accordingly, outside of narrow circumstances (i.e. probable cause for the subject's arrest or Medical Examiner Office requests) members must have a search warrant or search warrant exception, such as consent or emergency aid, to use MIDDs.

Procedure:

1. Authorized Use.
   1.1. Only trained members may use MIDDs.

   1.2. Members shall only use MIDDs on compliant subjects.

   1.3. Members may use MIDDs on compliant subjects if:
      1.3.1. There is probable cause for the subject's arrest;
      1.3.2. The Medical Examiner Office requests that a member identify a deceased person; or
      1.3.3. The member has a valid search warrant or warrant exception. Refer to Directive 0650.00, Searches, Seizures, and Inventories for additional search guidance.

DRAFT

2. Restrictions.

2.1. Members shall not use Force to identify a subject via MIDD.

2.2. Members untrained in MIDDs shall not use MIDDs.

~~1.1.~~2.3. Members shall not use MIDDs for "Assist" calls at hospitals ~~absent a life-threatening medical situation in which the person's identity could impact medical treatment, as articulated by hospital staff. In other words,~~ unless the MIDD use falls under the emergency aid doctrine or other search warrant exception. Refer to Directive 0650.00, Searches, Seizures, and Inventories, for additional guidance.

3. Identification Process.

3.1. Before using MIDDs, members should attempt to verify the subject's identity using other resources, such as Department of Motor Vehicles (DMV), Regional Justice Information Network (RegJIN), or booking photograph records.

3.2. Members will capture the subject's prints with the MIDD and submit the images and five items of demographic information to FED and the Western Identification Network (WIN).

3.3. The WIN system performs a one-to-many comparison of a "probe" sample to samples in the WIN database containing many fingerprint samples, and returns a candidate list to FED.

3.4. A FED member reviews the candidate list and performs fingerprint comparisons to make an identification, if possible. FED members typically provide identification results to the member in the field within approximately 10 minutes.

~~1.2.~~3.5. If the ~~IBIS~~MIDD system is down~~,~~ or the member is unable to capture ~~quality prints for use with IBIS, and other means of searching have not provided reasonable verification of identity~~ sufficient images, members may contact ~~Forensics to determine if unit workload demands and staffing will allow Forensics to provide an identity check.~~FED for assistance, and FED may perform additional identification services if available.

~~c. If resources allow, members will:~~

~~1. Transport offenders to Central Precinct and place them~~

4. Member Reporting Responsibilities.

Members shall document their use of MIDDs in a ~~precinct holding cell.~~

~~2. Obtain a left and right thumb and right four finger impressions on the backside of a copy of the Custody Report.~~

~~3. Obtain PPDS, LEDS, CCH and NCIC identity information on the person the arrestee claims to be.~~

~~1.3.~~4.1. ~~4. Take the inked thumb and fingerprints (on the back of the custody~~police report~~) as well as any PPDS, DMV and CCH printouts to Forensics.~~.

DRAFT

d. Identity verification can be accomplished by Forensics only if the name provided by the offender has associated prints and mugshots on file. Forensics technicians will attempt to verify only whether or not the suspect in custody is the person they claim to be.
e. Forensics will not roll a full set of fingerprints nor make a full file search to determine the arrested subject's true name.
f. In exceptional circumstances, where the above noted means of identification verification have been exhausted and the situation merits further inquiry, members may contact (with supervisory approval) a Forensics supervisor and request an Automated Fingerprint Identification System (AFIS) latent direct inquiry be made. The inquiry is made using the two thumb impressions on the back of the Custody Report. The Forensics supervisor, upon receipt of any available computer file printouts, will attempt to arrange for the inquiry. If a criminalist or qualified technician is unavailable, the member will be directed to leave the photocopy of the Custody Report containing the two thumb and right four finger impressions with Forensics for an AFIS direct entry as soon as feasible. Continued custody of the subject is at the discretion of the member and his/her supervisor.
g. If it is determined during the identification verification process that a Giving False Information offense has been committed, the suspect will be processed through MCDC.

Expedited Fingerprint Search (640.00)

Warrants based on false identity information during citation issuance cause inconveniences for many individuals. When Forensics discovers incorrect information has been presented during a C-Cite arrest (or when a member needs to verify the identity of a suspect when issuing a C-Cite and the above procedure fails to provide the necessary information) members will apply the following procedures:

a. In situations where a suspected serious offender's true identity is not known and Forensics determines an FBI file search is necessary, a MCDC Intake supervisor will be notified. An expedited search hold will be placed on the suspect and remain in effect until such time as Forensics receives information from the FBI. Requests for fingerprint processing through the FBI Expedited Fingerprint Search System will be honored only if justification satisfies the criteria established by the FBI. Furthermore, Forensic technicians are authorized to grant or deny such requests based on those criteria.
b. When circumstances justify granting expedited searches, the arresting member has the responsibility of arranging for a higher bail (extraordinary bail) to ensure the suspect remains in custody until the FBI responds to the inquiry. The arresting member will obtain authorization from a Circuit Court judge for increased security deposits. A list of judges is on file in Detectives and the Drug and Vice Division (DVD).
c. The words Extraordinary Bail will be written on the top of the Custody Report. For details in requesting Extraordinary Bail, see DIR 880.30.

DRAFT

~~**Corrected Identity – False**~~

5. Dissemination of Information.

Members shall comply with the CJIS Security Policy regarding dissemination of Criminal Justice Information ~~**Situations (640.00)**~~

~~The following procedures will apply when the identity of an arrestee, based upon FBI, SID, fingerprint, or CCH records, is determined to be different than the identity used upon arrest:~~

~~a. The Forensic technician will notify MCDC of the corrected identity.~~

~~b. MCDC will then run a LEDS/NCIC records check and serve any warrants.~~

~~c. When a name or date of birth was presented by the arrestee, and his/her true identity was subsequently determined based upon FBI, SID, fingerprint, or CCH records a Corrected Arrest~~, including Personally Identifiable Information~~— Furnishing False Information Special Report (FFI) will be completed by the Forensics technician. Copies of the report will be forwarded to the arresting member prior to the arraignment of the arrestee.~~

~~d. If the issuing/arresting member is present at MCDC, he or she will issue a new citation charging the original crimes(s) and FFI.~~

~~e. If the issuing/arresting member is not present at MCDC when the correct identity has been obtained, the following procedures will apply:~~

~~1. Felony and Misdemeanor Citations.~~

~~a) The Forensic technician will send a copy of his/her report to the Records Division (Records).~~

~~b) Records will then send a copy of the Forensic technicians report along with the arresting member's report to the District Attorney's (DA's) Office.~~

~~c) Forensic technicians will fax a copy of the FFI report to the arresting member.~~

~~d) If a criminal case receives no complaint from the DA's Office and it is later learned a FFI crime has been committed, the member may request a warrant be issued. This is accomplished through the submission of a Special Report to the complaint signer. The complaint signer may then ask the DA's Office to consider issuing a warrant.~~

~~2. Violation Citations.~~

~~a) Violations: The DA's Office does not review traffic violation citations.~~

~~1) A copy of the Corrected Arrest Information/Special Report will be forwarded by mail or fax to the member.~~

~~2) Members may reissue violation citations when they deem it necessary. Members may also issue a FFI citation.~~

~~b) Non-Traffic Violations: The DA's Office reviews all non-traffic violations. The same procedures outlined above for felony and misdemeanor crimes should be followed.~~

~~1.4.~~5.1. .

DRAFT

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, April 02, 2025 6:48:53 AM
Last Modified: Wednesday, April 02, 2025 6:50:40 AM
Time Spent: 00:01:47

Page 1

Q1

Please provide feedback for this directive

PPB no longer uses the PPDS system. Also, IBIS is no longer used. It is now the MIDD system.

Q2

Respondent skipped this question

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