
Report Preparation

344.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

344.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, crimes against persons, or arrest reports where the suspect remains in custody should not be held unless approved to hold over by the Watch Commander. Employees shall not approve their own reports.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

Effective immediately, employees who are submitting incident reports requesting video from the Video Recovery Unit for cases which are expected to be investigated in the Patrol Division will generate a supplemental report and submit it along with the initial incident report. The supplemental report will need the required fields completed to be able to submit the report for approval. The narrative section of the supplemental report need only indicate "pending video request."

Supervisors will only approve initial incident reports requesting video from the Video Recovery Unit for cases which are expected to be investigated in the Patrol Division when they have a supplemental report also submitted for approval. After approving the initial incident report, supervisors will reject the supplemental report so there will be an outstanding case in the responsible employees IN PROGRESS reports queue.

Employees will be expected to check their P: drive and document the review of video and/or the lack of available video in the narrative of the rejected supplemental report. The employee will then submit the supplemental report for final approval.

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The BART Police Department has not authorized the use of any artificial intelligence system for drafting official crime-related reports, probable cause declarations, arrest reports or any other investigative document that will be maintained as part of the official investigative record. As such, staff shall not use AI to create or edit these types of documents.

344.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

344.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-Felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
 - 1. Use of Force Policy
 - 2. Domestic Violence Policy
 - 3. Child Abuse Policy
 - 4. Senior and Disability Victimization Policy
 - 5. Hate Crimes Policy
 - 6. Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

344.2.2 NON-CRIMINAL ACTIVITY

The following incidents require the preparation of a written report:

- (a) When an officer points a firearm at any person, or deploys a firearm, CEW or LLIMS launcher in the presence of bystanders to defend, detain, or take any person into custody
- (b) Reported missing persons (regardless of jurisdiction)
- (c) Found contraband and found evidence
- (d) All incidents involving the death of a human being (see Policy Manual § 360 Death Investigations)
- (e) Traffic collisions above minimum reporting level

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- (f) Suspicious Persons or Circumstances where a CAD entry would not be sufficient to explain the incident
- (g) Hazardous Material incidents where a CAD entry would not be sufficient to explain the incident
- (h) Illnesses or injuries meeting criteria of section 344.2.4 or section 344.2.5

344.2.3 DEATH CASES

Cases of obvious suicide must be investigated and completed by the officer. If the officer is unable to determine the manner of death, he/she shall proceed as though it is a homicide.

The on-call detective will be notified in all unattended death cases. Detectives may respond to the scene to assist the reporting officer with the investigation.

344.2.4 INJURY OR DAMAGE BY DISTRICT PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a District employee. Additionally, reports shall be taken involving significant damage to District property or District equipment.

344.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury/illness is a result of drug overdose
- (b) Attempted suicide
- (c) The injury or illness is major/serious, whereas death could result
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event
- (e) The injury occurred on District property or the illness is attributed to the District.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary. Illnesses not attributed to the District and/or injuries not occurring on District property may be documented in the Call for Service on the TriTech CAD/Mobile software. When documenting in the Call for Service, employees will ensure the name of the individual has been added to the supplemental information and the location the injured or sick person was transported to is entered into the call notes.

344.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES

A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Division shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

344.2.7 MANDATORY REPORTING OF JUVENILE DETENTIONS

Welfare and Institutions Code section 210.2(b) requires the tracking of all juvenile detentions which occur in any police facilities that contain any secure or non-secure detention rooms. Officers will document juvenile detention information on the BART Police Juvenile Detention log.

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This information will then be compiled by the Records Section and forwarded to the Board of Corrections.

344.2.8 EVENTS WHICH DO NOT REQUIRE A WRITTEN REPORT

The following events may be cleared by a dispatch CADS entry without a written report:

- (a) Infraction citation of an adult
- (b) Traffic infraction citation where the violation occurred on or off BART property
- (c) 647(g) PC cases where the subject is taken to detox
- (d) 911 calls, hang-ups and call box alarms with no evidence of criminal activity, no one detained and there is no property damage or personal injury
- (e) Reports of police radio problems (PRIP)
- (f) Misplaced vehicles with no evidence of tampering
- (g) Parking complaints with no property damage or personal injury
- (h) Misdemeanor/Infraction violations where an unidentified suspect is gone on the officer's arrival and there is no victim wishing to file a report
- (i) Unsecured doors and gates to District facilities with no evidence of criminal activity
- (j) Prisoner transports for warrants that are handled without incident
- (k) Monthly emergency exit checks
- (l) Miscellaneous service calls of a non-criminal nature that do not require follow-up, such as motorist/citizen assists and patron/fare disputes that do not result in the detention or identification of anyone by officers.

In order to document detentions of adults for infraction violations or on-property traffic stops where the suspect is identified and the identity is confirmed through a records check, the officer shall complete a Field Interview Card. The information from the card will be entered into a Field Interview Report in the TriTech system by the reporting officer.

344.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

344.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for department consistency.

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344.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should promptly return the report to the author for correction, stating the reasons for rejection. The report should be resubmitted for approval as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

344.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

344.6 CASE ASSIGNMENTS

The following types of reports will be forwarded to the Criminal Investigations Division by the approving supervisor selecting "Investigations" in the Division box under the Case Management Section of the employee's report:

- Felonies Cases and Felony Arrests
 - Except property crimes with no witnesses, video requests, leads, or evidence
 - Except stand-alone Felony warrant arrests
- Misdemeanors Arrests and Citations
 - Except stand-alone misdemeanor warrant arrests
- Sex Crimes
- All employee related assaults or batteries
- Coroner's Cases
- Sick/Injured persons cases where the illness/injury may result in death
- Missing Person Cases
- Domestic Violence Cases

Cases that do not meet the above criteria shall not be forwarded to the Criminal Investigations Division and should be handled at the patrol level until leads are exhausted or it is no longer practical to investigate the case. Any exceptions to the above criteria must be approved by the Criminal Investigations Division sergeant prior to forwarding the cases.

Supervisors shall ensure the case is forwarded and the "Arrest Report" is completed by no later than 0500 hours the morning after the arrest. If this threshold cannot be met, the supervisor shall verbally notify the Criminal Investigations Division of the delay. If verbal notification is not possible, an email shall be sent to the on-call detective.

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All cases that contain a video request will be forwarded to the Video Recovery Unit by the approving supervisor selecting "Video Recovery" in the Division box under the Case Management Section of the employee's report.

344.7 COMPUTERIZED REPORT USAGE AND COMPLETION GUIDELINES

344.7.1 COMPUTERIZED REPORT TYPES

The TriTech system provides the following types of reports separated by county jurisdiction:

Incident Report - This is the standard format for criminal and non-criminal reports. The Incident Report should include the suspects/victims, associated vehicles involved in the incident and any guns, drugs, property or evidence seized by the primary reporting officer.

Supplemental - This report is used to document actions by assisting officers who were not assigned the primary role in an incident. It should also be used to record the results of follow-up investigation and to document facts discovered after the primary report has been submitted. Supplemental reports should not include offenses, suspects, victims, persons, vehicles, property, guns or drugs documented in the initial Incident Report unless the supplemental is providing updated information for those entries. Supplemental reports should include any property/evidence seized by the assisting officer.

Arrest Report - This report is a supplemental report to an Incident Report when the suspect is arrested, issued a misdemeanor citation or a notice to appear citation for an outstanding warrant.

Field Interview Report - This report is used to document detentions of adults for infraction violations or on-property traffic stops where the suspect received a verbal warning or was contacted for suspicious activity. Officers should attempt to fully identify the suspect, the violation and any identifiers such as scars, marks, tattoos, piercings, clothing, and license plate(s) etc... Entering this information in the Field Interview Report allows the suspect and vehicle to be searched for prior contacts.

Police Report Dispositions - In order to maintain accurate records of final dispositions of events and cases, it is imperative that the correct disposition is communicated between officers and dispatchers. When communicating via police radio, mobile data computer (MDC) or telephone with police dispatch, all police personnel will give the final disposition of their events and cases for data input. The final dispositions are:

- Arrest
- Able to care
- Assistance to citizen (non-criminal contacts)
- Citation
- Field interview
- Information

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- No merit
- Outside agency assist
- Reassign
- Report (any written case report, excluding an arrest)
- Secure (emergency exit checks)
- Transport
- UTL/GOA (Unable to locate/Gone on arrival)
- Cancel (used by Dispatch when appropriate)

344.7.2 COMPLETING NARRATIVES IN TRITECH WEB RMS

Before beginning the narrative portion of the report, the following information should be listed if applicable:

- Video Request
- Any cross-referenced cases
- Description of injuries
- Outside agency case number (San Francisco)
- Laboratory number (San Francisco)
- List of on-scene personnel
- Mobile video recorder activation information

The narrative should provide a chronological account of what transpired during the incident, in as much detail as possible. The following items must be addressed in the narrative, if applicable:

- Use of force
- Application of handcuffs and leg restraints (officers should note that the restraints were checked for proper fit and double locked)
- Drawing of firearm (when firearm is drawn in the presence of the public and/ or is used to accomplish a detention or take a suspect into custody) or other weapon. This includes pistol, shotgun, patrol rifle and LLIMS launcher, as well as the TASER.

344.8 HAND-WRITTEN REPORTS

This department uses a number of hand-written forms to document officers' activities. These documents should be completed and listed in the "Related Documents" field of the Management page, where appropriate. The forms should be turned into the Records section after being approved by a supervisor, where needed.

344.8.1 DOMESTIC VIOLENCE REPORT/SUPPLEMENTAL

This form is used to document pertinent details of domestic violence incidents. This includes details of the relationships between the suspect and victim, prior domestic violence history,

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restraining order status, suspect and victim demeanor, medical treatment received, victim assistance provided and diagrams of injuries. This form should be attached as a related document in domestic violence cases.

344.8.2 REPORT OF NON-RELEASE MISDEMEANOR ARREST

This form may be completed in order to document the circumstances whereby a suspect arrested for a misdemeanor violation was not cited and released. This form is only required if the receiving jail facility requests it be completed. Most facilities incorporate this non-release information on their unique booking forms, or have their own non-release forms that must be completed at the time of booking. If completed, this form should be attached as a related document. In any event, the circumstances surrounding the non-release should be explained in the report narrative by the arresting officer.

344.8.3 SUSPECT STATEMENT

This form is used to document suspect statements. All boxes at the top of the form should be completed. The statement form includes the Miranda Admonition and Waiver. The Miranda rights should be read to the suspect prior to beginning any questioning, and the suspect's responses (yes/no) should be circled. When completing the waiver portion, the suspect's verbatim responses should be included on the lines following each waiver question, and the suspect should sign the form and note the date and time. If the suspect invokes his rights to counsel or to remain silent, this should be indicated on the form, which should be booked into evidence.

Generally speaking, the officer taking the statement should interview the suspect in order to obtain sufficient details regarding the incident to write the suspect's version of events on the statement form, using the first-person from the suspect's point of view. The statement should use the suspect's words and phraseology as much as possible. The completed statement should be shown and read to the suspect for any corrections necessary. The suspect should then sign at the end of the statement, and initial next to any corrections. The BART Police Report page 2 form may be used as additional pages if the suspect statement will not fit on the Suspect Statement form. If the suspect refuses to sign the form after giving a statement, the officer should write "refused" where the signature would normally be and book the form into evidence.

When completed and signed, the reporting officer should photocopy the statement and attach the copy as a related document to the report. The original suspect statement should be placed into evidence.

A summary of the suspect's statement should be included in the narrative portion of the crime report.

344.8.4 POLICE REPORT PAGE 2

This form may be used to document victim and witness statements and as continuation pages for suspect statements. Victim and witness statements should be taken in the same manner as suspect statements, with the exception of Miranda warnings and waivers. The completed forms should be listed as related documents on the crime report. The statements should be summarized

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in the narrative portion of the crime report. Victim and witness statements are not booked into evidence. They should be turned in to records for inclusion in the case file.

344.8.5 PRIVATE PERSON (CITIZEN'S) ARREST REPORT

This form is used to document private person arrests. All information pertaining to the arrestee, the complainant and the crime should be completed. The pink copy of the form should be given to the person making the arrest. The form should be listed as a related document on the crime report. See Policy 364 for further details regarding private person arrests.

344.8.6 CERTIFICATE OF RELEASE

This form is used to document incidents where a subject has been detained for investigation of a crime, then released per the requirements of 849(b) PC. All such releases should be approved by a supervisor. The pink copy of the certificate should be given to the person released. The white and yellow copies should be forwarded to Records and should be listed as a related document on the police report.

344.8.7 STATEMENT PURSUANT TO 821 & 822 PC

This form is used to document situations where a suspect arrested on a warrant waives his right to be booked in the county of arrest, and is transported to the county which issued the warrant for booking. The arrestee should sign the form, which is listed as a related document on the police report.

344.8.8 CONFIDENTIALITY NOTIFICATION

This form is used to document the victim's desires regarding confidentiality in cases qualifying for confidentiality under 293 PC. Qualifying crimes are: 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6. The law requires victims of the above offenses be informed of their right to have their name kept confidential. The victim's information should be completed and their desire to request or decline confidentiality should be checked. The form should be listed in the report as a related document.

344.8.9 APPLICATION FOR EMERGENCY PROTECTIVE ORDER

This form is used to obtain an emergency protective order. All portions of the form should be completed once a judicial officer has granted the protective order. The proof of service should be completed when the restrained party is notified of the order. The order should be entered into CLETS by the communications center and the form should be listed on the crime report as a related document. The CLETS entry information should be included in the narrative portion of the crime report.

344.8.10 VERBAL NOTICE OF PEACE OFFICER (DL-310)

This form is used to document verbal notice by an officer of the suspension of a person's driver license. The suspension information should be inserted and the license should be confiscated by the officer, if the subject is in possession of the license. The pink copy of the DL-310 form should

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be given to the driver at the scene. The license should be attached to the white and yellow copies of the DL-310 and forwarded to the Traffic Officer so the license can be returned to the DMV. The DL-310 form should be listed as a related document in the police report.

344.8.11 NOTICE TO APPEAR

The notice to appear (citation) form is used to document an infraction or misdemeanor violation where the suspect is to appear in court to answer the charges. All pertinent boxes should be completed as accurately as possible. In the case of on-viewed infraction violations, the citation requires no accompanying police report. The citation stands alone and is forwarded to records. The citing officer should complete the reverse of the citation, making sufficient notes so that the incident can be recalled accurately in court at a later date.

In the case of private person (citizen's) arrests for infractions and misdemeanor violations, a police report is required in addition to the citation itself. Juveniles may be issued notices to appear for infraction violations only. A police report is required whenever a juvenile is issued a citation, or detained for a crime. The suspect should be given the yellow copy of the citation form. Citations should be listed as related documents when a police report is completed.

344.8.12 NOTICE TO APPEAR - CONTINUATION FORM

This form is used to document additional charges that will not fit in the violations box of the standard citation. More than one continuation form may be used if necessary. The suspect should be given the yellow copy of the citation form. Continuation forms should be listed as related documents when a police report is completed.

344.8.13 UNIFORM JUVENILE CITATION

This form is used to provide juvenile suspects notice to appear on felony and misdemeanor violations, where the juvenile is not booked into a juvenile detention facility. The form should be completed as thoroughly as possible. The parent/guardian accepting custody of the juvenile should sign the citation form, as well as the juvenile arrestee. The parent/guardian should be given the pink copy of the juvenile citation form. The citation should be listed as a related document on the police report.

344.8.14 NOTICE OF CORRECTION & PROOF OF SERVICE (CITATION CORRECTION FORM)

This form is used to correct a Notice to Appear that was issued to a suspect. The form should be completed to indicate the required change and the affected court. The pink proof of service portion of the form should be completed and mailed to the suspect at their mailing address. The original form should be forwarded to Records for transmission to the affected court. The form should be listed as a related document on the crime report.

344.8.15 BOOKING SHEETS/CARDS

County booking sheets or cards and juvenile intake forms are used to document a suspect being booked into an adult or juvenile detention facility. Each county has unique requirements for their booking paperwork, and this department will abide by each county's policies regarding

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the completion of booking paperwork. A copy of the booking forms should be listed as a related document on the police report.

344.8.16 JUVENILE INTAKE FORMS

Each county has unique requirements for documenting juvenile arrests and contacts. This department will abide by each county's policies regarding the completion of booking/contact paperwork.

Alameda County requires that a Juvenile Intake Disposition Form be completed when booking a juvenile into Juvenile Hall. The completed form must be turned in to the facility, along with a copy of the completed police report, at the time the juvenile is booked into Juvenile Hall.

Contra Costa County requires the completion of their Juvenile Admission Form, if the officer is citing the juvenile for a misdemeanor or felony. If the juvenile is being booked into Juvenile Hall, a probable cause declaration must be completed in the ARIES system at time of booking. These forms are in addition to the reports normally completed by the officer. The forms provide information related specifically to juvenile offenders and provides space for a statement of probable cause. The department's probable cause declaration form should also be completed.

San Francisco County requires completion of an Admission Form, in addition to the reports normally completed by the officer. This form provides information related specifically to juvenile offenders booked into the Juvenile Justice Center. For juveniles dropped off at the CARC Center, a Juvenile Detention Disposition Report should be completed. The department's probable cause declaration should also be completed.

San Mateo County requires completion of a Juvenile Contact Report when booking a juvenile into Juvenile Hall. For juvenile offenders 14 years of age or older, who are taken into custody for a felony violation, the county requires completion of their special Promise to Appear (Form #JV-365), rather than the department's Uniform Juvenile Citation. The department's probable cause declaration should also be completed.

344.8.17 PROBABLE CAUSE DECLARATIONS

This form is used to establish probable cause for warrantless arrests. The form should be completed for all misdemeanor and felony arrests (with the exception of warrant only arrests). They should also be completed for any misdemeanor private person (citizen's) arrest citation case. Officers should use the computerized template when completing this form, but the form may be completed by hand if necessary. **Names of victims, witnesses and reporting parties should not be included in the Probable Cause Declaration. If necessary, refer to the person by role, rather than by name.**

In Alameda County the Consolidated Records Information Management System (CRIMS) should be utilized to send an electronic PC Declaration. CRIMS can be found following the URL <https://crims.acgovapp/> or log into CRIMS through the BPD Links folder short cut. For CRIMS log in problems contact the CRIMS help desk anytime at (510)272-3744.

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In Contra Costa County the Automated Regional Information Exchange System (ARIES) should be utilized to send an electronic PC Declaration for in-custody arrests. ARIES can be found following the URL <https://ariessystem.us/Main/Login.aspx> or log into ARIES through the BPD Links short cut folder. For ARIES log in problems contact the BART Police ARIES Administrator (currently the BART Police Crime Analyst).

In San Francisco and San Mateo Counties, as well as all out of custody cases in Contra Costa County, the BART Police Probable Cause Declaration form is to be used.

344.8.18 VEHICLE RELEASE

This form is used to provide a vehicle owner a release so their stolen/embezzled vehicle may be retrieved from a towing company. It may be used to release a vehicle that was reported stolen to our department and recovered by another agency, a vehicle reported stolen to another agency and recovered by this department, or a stolen vehicle that was both reported to and recovered by this department. The form should be completed as appropriate with our case number, the outside agency case number, the vehicle information and the releasing officer's information. The vehicle owner should sign the form and the yellow copy of the form should be given to the owner/agent. The original form should be forwarded to records.

344.8.19 MISSING PERSON REPORTING FORM

This form is used to document reports of missing persons. This department is required by law to accept all reports of missing persons, regardless of the ultimate investigative jurisdiction of the case. All available information should be included on the form to document the report as accurately as possible. The communications center is required by law to enter the information into the MUPS system within 4 hours. This form should be listed as a related document on the report. The Department of Justice Missing Persons report form can be located in the G drive under the Police Forms folder.

344.8.20 DENTAL/SKELETAL X-RAY/PHOTOGRAPH RELEASE FORM

In the case of missing juveniles not located within 30 days, this form should be completed, authorizing doctors and dentists with records pertaining to the juvenile to release them to this department in order to assist the investigation. The form may be completed prior to 30 days, and officers should make an effort to have the parent/ guardian sign the form at the time the initial report is made, so the signed form is available if necessary. This form should be listed as a related document on the report.

344.8.21 11550 H&S NARCOTICS INFLUENCE REPORT

This form is used to document the objective symptoms of a suspect arrested for 11550 H & S. The completed form should be attached to the report as a related document.

344.8.22 VEHICLE REPORT (CHP-180)

This form is intended to accomplish multiple tasks related to vehicles and license plates. As a result, not all boxes will be applicable to each report. However, all boxes that apply to the incident in question should be completed by the reporting officer, using as much detail as possible. It is

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important to obtain signatures from garage principals, in the case of towed vehicles, and reporting parties, in the case of stolen/ embezzled vehicles and plates.

When towing a vehicle, it is important to document existing damage on the vehicle diagrams on the face of the form. Officers should shade any areas of existing damage, and describe significant damage in the remarks section at the bottom of the face page.

Stolen/Embezzled and Recovery narratives should be documented in a criminal or non-criminal Incident Report (as applicable) in the TriTech Field Based Report system. The narrative should include the SVS entry information, indicating the date and time of the entry and the badge number of the employee who made the entry.

Completed and approved Vehicle Report forms documenting a towed or stolen vehicle should be scanned and emailed to BPDRrecords@bart.gov, prior to the end of the officer's shift. The form should be listed as a related document on the report.

344.8.23 APPLICATION FOR EMERGENCY PSYCHIATRIC DETENTION (5150 W&I)

This form along with a non-criminal incident report is used to document all incidents where a subject is detained for emergency psychiatric evaluation. All boxes should be completed with as much detail as possible. The reporting officer should document the detainment advisement required by 5157 W & I, which is printed on the form. If the advisement was not completed, a brief explanation must be included in the space provided.

All 5150 W & I reports which include a criminal hold, including all warrants, will be treated as an "in custody" and classified in the TriTech report writing system as an "arrest" in the Arrest report. The report, including all supplements, shall be written, submitted and approved by a supervisor prior to the reporting officer(s) going off duty. This shall also apply to arrestees who are transported for medical treatment prior to being booked into a jail facility. These reports cannot be approved by Field Training Officers and must be approved by a supervisor.

When an arrestee is transported from a medical or mental health facility and booked into a jail, the transporting officer shall complete a supplemental report and send an email to all Detectives and the Detective Sergeant advising them of the booking. The email should include the arrestee's name and case number and should be sent as soon as practicable after the transport has been completed.

Psychiatric self-committals will be treated as a sick person (not attributed to BART) and may be documented in the Call for Service on the TriTech CAD/Mobile software. When documenting in the Call for Service, employees will ensure the name of the individual has been added to the supplemental information and the location the injured or sick person was transported to is entered into the call notes.

The narrative section should be completed in enough detail to document the subject's condition and actions, and explain why the reporting officer believed the subject was a danger to him/herself, a danger to others, or was gravely disabled due to a mental condition or inebriation.

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In the event that criminal charges will be filed against the subject, the officer should complete the Certification of Criminal Charges portion of the form, indicating who should be notified prior to the subject being released from mental health custody. In this case, an incident report and arrest report must also be completed, in order to document the criminal offense.

Normally all of the green copies of the form should be given to the transporting ambulance and/or the mental health facility. If the transporting ambulance or admitting mental health facility requests the white copy instead, the reporting officer should ensure that the BART case number is legibly written on the remaining green copies for proper filing, as it will not be recorded from the face page. This form should be listed as a related document on the report.

344.8.24 PROPERTY DAMAGE ONLY REPORT (CHP 555-03)

This scanned document is a two-part form used to record traffic collisions which qualify for the PDO report (two or fewer vehicles involved, no injuries, and no intended prosecution). The form should be completed using the standard format found in the CHP Collision Investigation Manual (CIM). All applicable boxes should be completed. The sketch should be done using standard figures as found in the CIM. The narrative should be completed in a non-criminal incident report using the format located in the CIM.

The original report should be forwarded to Records. The reporting officer may give each party to the collision a copy of the form. The copy contains the upper portion of the completed report, listing the parties, any witnesses and the sketch of the collision. This form should be listed as a related document.

344.8.25 DRIVING UNDER THE INFLUENCE ARREST INVESTIGATION REPORT (CHP 202)

This handwritten form serves to document the investigation of suspected DUI cases. Each applicable box should be completed in as much detail as possible. This form should be a related document, listed on the TriTech incident report.

The face page of the CHP 202 documents the suspect's information, vehicle details, and witness/passenger/victim information. There is a Miranda admonition printed on the form. The suspect's acknowledgment and waiver or invocation of Miranda rights should be recorded on the form. The suspect should sign the form to document his/ her choices.

The Misdemeanor Incarceration portion of the form should be completed if the suspect is booked. All situations that apply should be checked, to document the reasons for the suspect being booked for a misdemeanor violation, pursuant to 853.6 PC.

The reverse of the form documents the investigation interview, objective symptoms of intoxication and field sobriety test location. There is also a section to document the results of a Preliminary Alcohol Screening test, if applicable. The results of any chemical tests (Breath/Blood) should also be recorded on the form. The final item on the reverse of the form documents the Trombetta Advisement, and the suspect's election regarding additional test samples.

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344.8.26 INTOXICATION EVALUATION/ARREST

This form is used to document the results of Field Sobriety Tests (FST's) given to suspects in DUI cases. The form provides boxes to identify the suspect and related vehicle, as well as sections for standard FST's, with diagrams which can be completed to record the suspect's performance on each test. All portions of the form should be completed in enough detail to accurately document the suspect's performance during the FST's. This form supplements the CHP 202 and is a related document in the TriTech incident report.

344.8.27 AGE 21 & OLDER OFFICER'S STATEMENT (DMV 367), UNDER 21 OFFICER'S STATEMENT (DMV 367M), UNDER 21 OFFICER'S STATEMENT - SPANISH (DMV 367M SPANISH)

These forms are used to document the DUI arrest and suspension/revocation of a suspect's license by the arresting officer. This form does not replace the Intoxication Evaluation/Arrest form, but is instead sent to the Department of Motor Vehicles to document the arrest and confiscation of the suspect's driver license. The Over 21 version (gray) of the form is to be used for all suspects 21 years and older. The suspect is provided the pink copy of the form, which provides information regarding the suspension of their license and administrative review procedures conducted by DMV. The Spanish version (red) of the form is printed in English on the face of the document, in order for the officer to document the arrest and confiscation of the license. The pink copy of the form, provided to Spanish speaking suspects, explains the hearing issues and DMV formalities in Spanish on the reverse.

The Under 21 (green) version of the form is to be used with suspects under the age of 21, and is similar to the other forms, with the exception of the lower blood alcohol level allowed. Again, the pink copy of the form is provided to the suspect. This form should be listed as a related document on the report.

344.8.28 PURSUIT REPORT (CHP187A)

The pursuit report should be prepared by the responsible supervisor as soon as possible following a pursuit (see also Policy #314). This form should be completed with as much information as is known about the suspects, vehicles involved, and the results of the pursuit. Detailed directions for completion of the form are located on the reverse side of the form. This form should be listed as a related document on the report.

344.8.29 CITIZEN PROPERTY RECEIPT (FORM #1448)

This form is used to provide a receipt for property taken or located by members of this department. The item taken into custody should be described as fully as possible and the storage location should be noted. The original of the form should be forwarded to the Property/Evidence bureau. The citizen should be given the yellow copy of the form for their records.

The Property Label (Form #0470) with wire attachments, is used in conjunction with the Property Receipt, and should be used to identify large or bulky items, such as bicycles, that cannot be packaged in standard departmental evidence envelopes/ bags. The hard copy of the form should

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be attached to the item with the wire. The top copy of the form should be forwarded to the Property/Evidence bureau for their records.

Both forms should be listed as related documents on the report.

344.8.30 EVIDENCE ENVELOPE (FORM #1220)

The manila evidence envelope is the standard container for booking collected evidence items. All portions of the envelope should be completed as appropriate. Officers should check the appropriate box to classify the item inside as either evidence, safekeeping or found property. Officers should also check the box indicating whether the item inside is narcotics, currency, fingerprints, or other. The reporting officer should then complete the boxes for Victim, Case Number, Suspect, Item Number, Location, and Offense. The item should be described as clearly as possible, along with the identity of the recovering officer and the date and time of recovery. The chain of custody is documented using the appropriate section on the evidence envelope. If the envelope contains narcotics, the boxes at the bottom of the envelope should be checked to indicate what drug the substance should be analyzed for. The glue flap should be sealed and evidence tape should be placed over the flap. The sealing officer should write the case number, date and his/her badge number over the tape.

If the envelope contains currency, the amount of currency and/or coin should be noted in the blocks on the reverse of the envelope. The officer counting the money should place his/her name and badge number, as well as the date and time in the appropriate blocks.

If the envelope contains narcotics or currency, a witness signature is also required, in the witness block.

If the evidence item is too large to fit into the evidence envelope, the pre-printed evidence bag should be used. The bag should be completed in the same manner as the evidence envelope.

344.8.31 TICKET EVIDENCE ENVELOPE (FORM #0720)

This white evidence envelope is intended only to contain BART tickets taken as evidence. It is completed in the same manner as the large evidence envelope.

344.8.32 FORENSIC MEDICAL REPORT: NON-ACUTE (>72 HOURS) CHILD/ADOLESCENT SEXUAL ABUSE EXAMINATION (OCJP 925)

This form must be completed when documenting reported incidents of sexual abuse of children. It is meant to be completed in conjunction with a physician or other medical professional during a medical examination searching for evidence of sexual abuse. The original of the form should be retained as evidence by this department. Copies should be provided to Child Protective Services and the Medical Facility conducting the examination. This form should be listed as a related document on the report.

344.8.33 REPORT OF SUSPECTED DEPENDENT ADULT/ELDER ABUSE (SOC 341)

This form is used to document reports of possible dependent adult/elder abuse received by this department, as required by 15630 and 15658(a)(1) W&I. A "Dependent Adult" is anyone aged

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18-64, residing in this state, who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights. An "Elder" is anyone 65 years of age or older, who resides in this state.

Officers of this department are mandated reporters pursuant to 15630(a) W&I. As such, any instance of known or suspected abuse (physical abuse, sexual abuse, financial abuse, abduction, neglect (including self-neglect), isolation, and abandonment involving an elder or a dependent adult must be documented using this form. The original report must be completed and submitted to the Investigations bureau within two working days, if the instance of abuse took place in BART's jurisdiction. The original form should be placed in the case file. The responsible county Adult Protective Services office should be notified as soon as possible, and should be provided a copy of the report form. If the instance of abuse took place in another jurisdiction, the law enforcement agency with jurisdiction and the county Adult Protective Services agency must be notified within two working days of receiving the report, and both agencies should be provided a copy of the form. This form should be listed as a related document on the report.

Failure of a mandated reporter to report abuse of a dependent adult/elder is a misdemeanor offense.

344.9 SPECIAL CIRCUMSTANCES AND APPLICATIONS

344.9.1 MULTIPLE INCIDENTS/MULTIPLE VICTIM REPORTS

A multiple incident/multiple victim event is one where a suspect commits separate acts against the person or property of others, resulting in multiple victims of the same/similar type of crime, for example, a suspect burglarizes several automobiles at the same station. In order to document this type of event, all involved victims, vehicles, property and evidence will be entered into one report. The narrative of this report will describe the entire investigation completed by the officer.

344.9.2 MULTIPLE VICTIM REPORTS

A multiple victim incident is caused by a suspect's singular act that results in injury or property loss to more than one person, such as a suspect committing an armed robbery of a group of people. Multiple victim reports should be documented in one case, listing all victims and involved parties in the same report.

344.9.3 HATE MOTIVATED CRIMES

Hate motivated crimes are any criminal act or attempt to cause physical injury, emotional suffering or property damage where there is reasonable cause to believe that the crime was motivated, in whole or in part, by the victim's actual or perceived race, ethnicity, religion, gender, sexual orientation or physical or mental disability. (See Policy 338 for further details regarding Hate Crimes)

The reporting officer should notify a supervisor as soon as possible if he/she believes an incident is a hate crime. The supervisor will notify the on-duty watch commander. The watch commander will determine the need for additional notifications.

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344.9.4 CONFIDENTIAL CASES

A Confidential Case is an investigation that may involve a BART employee, BART affiliated contractor or person otherwise associated with BART, where disclosure of the person's identity or affiliation, or other facts could compromise the investigation.

When police personnel receive information regarding employee criminal activity, the investigating officer should discreetly gather sufficient facts to make an oral report to a supervisor. The supervisor will determine the appropriate response. In-progress crimes should be handled by officers as they normally would, with an immediate police response to stabilize the situation and investigate the crime at hand. A supervisor will coordinate the response and preliminary investigation to maintain confidentiality, if at all possible. The supervisor may consider the use of a telephone report or a delayed response if the appearance of uniformed police personnel at the scene might be detrimental to the successful investigation of the crime.

If the initial investigation indicates a more thorough, confidential investigation is warranted, these circumstances should be documented as a Confidential Case and the following procedures should be followed:

- (a) The reporting officer should obtain a case number from the Communications Section and request that the case be classified as "Confidential-Criminal Investigations," or "Confidential-Internal Affairs." Confidential reports will be entered directly into the Inform Records Management System and contained in a confidential folder with access granted to only the investigator and/or investigating supervisor.
- (b) The supervisor should notify either the investigations lieutenant, zone lieutenant/watch commander, or Internal Affairs lieutenant, as applicable.
- (c) The supervisor should approve the completed police report, and assign primary responsibility, as appropriate. No copies of the report should be printed.

344.9.5 TELEPHONE REPORTS

Telephone reports may be taken in certain circumstances. Personal follow-ups on telephone reports should be conducted whenever the case appears to warrant it. Telephone reports may be taken in cases that meet any of the following criteria and they should be completed using the appropriate report form as outlined in this policy:

- The nearest officer is not available within a reasonable time.
- The reporting party/victim is unable or unwilling to wait or has already left the scene.
- The call does not require immediate police action.

344.9.6 REPORTS PREPARED BY COMMUNITY SERVICE OFFICERS

Community Service Officers (CSOs) are authorized to prepare police reports if the following criteria are met:

- The suspect has left the scene and cannot be located.

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- There is no potential for immediate investigative follow-up which could lead to the identification and/or apprehension of the suspect.
- The case does not require video surveillance requests and review.

344.9.7 REPORT REVIEWS

A Report Review form should be used when a police supervisor or manager believes that a documented assessment of a police report is appropriate. As supervisors are responsible for the daily review of police reports generated in their zones, this will normally occur when a police supervisor finds a report to be either exceptional, or deficient. However, any police supervisor or manager may generate a report review. A report review may be challenged through the chain of command. The final decision concerning challenged report reviews will be made by the report writer's Bureau Deputy Chief. The following procedures apply to the preparation and filing of report reviews:

(a) Preparation:

1. The supervisor/manager preparing the review should document the facts in the report that make it exceptional or deficient in as much detail as possible. If the report is deficient, the deficiencies should be identified clearly, with required corrective action specifically listed. The review should be attached to a printed copy of the report so that the review comments can be matched to the written document.
2. Normally, reviews involving report deficiencies should have a due date assigned by the supervisor/manager who initiated the review. If the identified corrections must be made prior to the report being transmitted outside the department, the reviewing supervisor should mark the "immediate" box on the Report Review form. The reporting officer shall then be responsible for making the necessary corrections on his/her next work day. Other deficiencies may have longer due dates assigned by the reviewing supervisor/manager.

(b) Routing of Report Reviews:

1. When a review is generated, it is the responsibility of the supervisor/ manager preparing the review to route it to the reporting officer via the chain of command. If the reporting officer is assigned to the Field Training Officer program, the report review should be sent to the trainee via the field training chain of command. The supervisor of the reporting officer is responsible for making sure all necessary follow-up is completed and noted deficiencies are corrected.
2. The supervisor/manager preparing the review is responsible for directing copies of the review to any others that would be concerned with the information (e.g., Criminal Investigations, Records, etc...).

(c) Filing of Report Reviews:

1. Report reviews should be filed in the report writer's Employee Development Record (EDR) file and may be mentioned in the writer's performance evaluation. Employees should view and initial report review forms that are placed in their EDR file.