

**INCIDENT REPORTING AND DOCUMENTATION**

Revised: August 18, 2021

**402.1 PURPOSE AND SCOPE**

Documentation is a major part of each deputy's job. Reports may be used to document information to assist investigators in follow-up investigations. Field release citations, warnings, field notes (FN) are used to document law enforcement actions and/or contacts with the public. Sufficient information should be included in any form of documentation to:

- (a) Assist in prosecution.
- (b) Refresh an officer's memory during testimony.
- (c) Comply with legal requirements and Department policy.

**402.1.1 GENERAL GUIDELINES**

An incident number will be assigned and all required fields completed during documentation anytime an employee observes or receives any information concerning the following, but not limited to:

- (a) Criminal or suspected criminal offenses, regardless of the victim's level of cooperation.
- (b) Citizen complaints of non-criminal incidents requiring action by the police.
- (c) Self-initiated stops
- (d) Any other situation where documentation is required by law or another section of departmental policy.

If in doubt as to whether an incident should be documented, employees shall confer with a supervisor. For the purpose of this policy, Corporals may function as the designated supervisor.

**402.1.2 BIAS-BASED DOCUMENTATION GUIDELINES**

Every member of the Department is required to document any detention, frisk, search, non-consensual stop and/or arrest of a subject or vehicle.

(a) Deputies shall document the following information in the appropriate fields of an incident report, field release citation, warning, Field Notes:

1. The reason for the contact/stop; and
2. The race and ethnicity of the subject(s) of the contact/stop; and
3. Whether the officer knew the race or ethnicity of the subject(s) before conducting the contact/stop; and
4. Whether a subject or vehicle was searched and, if so, the reason for the search; and
5. Whether any contraband or other evidence was found during the search and, if so, a description of it.

(b) Deputies shall include those facts giving rise to the deputy's reasonable suspicion or probable cause for the contact/stop in the report narrative or appropriate documentation field of a citation, warning, Field Notes.

## 402.2 INCIDENT REPORTING

A well-written report can help make a case just as easily as a poorly written report can ruin a case. Employees have the responsibility to write clear, factual, and complete reports.

### 402.2.1 NOTE TAKING

Good reports can be achieved from accurate notes. Memory alone is not always a reliable method upon which to document detailed information.

- (a) Brief notations concerning specific events and circumstances recorded while fresh on the mind will be useful when preparing an incident report.
- (b) Notes used in court are subject to the scrutiny of the court; employees should ensure they are accurate and pertain to the case.
- (c) Notes should contain the following:
  1. **WHO** - Persons involved.
  2. **WHAT** - Type of incident(s), an accurate account of what was observed, what transpired, and the property/evidence involved.
  3. **WHEN** - Date(s), time/s of the incident.
  4. **WHERE** - Location(s) of the incident, persons involved during the incident, property and evidence involved.
  5. **WHY** - What actions taken by persons involved led to the incident(s).
  6. **HOW** - What manner, way, means, reason, purpose, effect, extent, amount, or degree.

### 402.2.2 REPORT WRITING

- (a) All reports shall accurately reflect:
  1. The identity of the persons involved.
  2. All pertinent information seen, heard, or assimilated by any other sense.

3. Any action(s) taken.
4. Identify all officers involved in a law enforcement investigation. (Michael Morton Act 39.14 Code of Criminal Procedures and Brady v. Maryland.)
5. Required information includes the officer's full name and Harris County Employee Identification Number. All officers involved in the case must be identified. List all officer and supervisors that responded to the scene in the report.

(b) 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.

(c) Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

(d) Sentences with proper structure should express complete thoughts. When writing the narrative portion of an incident report, personnel should avoid writing:

1. Sentence fragments which do not convey or express a complete thought.
2. Run-on sentences where two or more complete ideas are joined without punctuation.

#### 402.2.3 REPORT COMPLETION

Employees will complete and owner approve all reports written during their shift.

(a) Prior to owner approving reports, employees should:

1. Proofread reports to ensure they are sufficiently detailed for their purpose; and
2. Check reports for errors and fix them.

(b) Unless authorized by a supervisor, reports shall be owner approved as follows:

1. Reports written from incidents that lead to an arrest shall be completed and Owner Approved prior to the employee going back in service.
2. All other incident reports shall be Owner Approved by the end of the employee's tour of duty.

#### 402.2.4 REPORT CORRECTIONS, CHANGES AND ALTERATIONS

Once a report has been Supervisor Approved, report corrections, changes and alterations shall be handled as follows:

- (a) Minor corrections (e.g., location, business name) shall be accomplished by notifying Harris County to re-open the report.

- (b) Corrections that need to be done to a narrative shall be accomplished by writing a supplemental report.

#### 402.2.5 SUPERVISOR RESPONSIBILITIES

- (a) All reports routed to a supervisor's queue shall be reviewed for compliance with Department policy. Reports that are incomplete or inadequate shall be returned for correction.
- (b) Supervisors shall not review reports for which they are involved in; however, supervisors that are not directly involved in an incident (e.g., witness the incident) may conduct the review. When a supervisor is involved in the incident, a supervisor one rank higher than the involved supervisor will conduct the review.
- (c) Supervisors receiving notification from Harris County or an Investigative Unit of a deficient report shall:
  1. Ensure that the responsible employee corrects the report.
  2. Take proper steps to ensure that deficiencies do not occur again (e.g., counseling, remedial training, increased monitoring and review).

#### 402.3.1 DETENTION GUIDELINES

The following examples are intended to guide deputies in understanding when a person has been detained. These examples are not meant to describe all possible situations where documentation is required.

- (a) Was the person free to leave?
- (b) Would a reasonable person feel they were free to leave?
- (c) Was force used to prevent the person from leaving?
- (d) Was the person checked for warrants?
- (e) Is the person being frisked or asked for a consent search?

#### 402.4 FIELD RELEASE CITATIONS AND WARNINGS

Field release citations and warnings shall be completed as outlined in Policy 308 (Misdemeanor Citations) and Policy 342 (Traffic Enforcement).

#### 402.6 REPORTING GANG AFFILIATION

Certain offenses may be enhanced when committed by subjects who are documented gang members. Employees who interact with a subject that may be affiliated with a gang should initiate an incident report titled "Gang Information" and include specific details that give rise to the belief the subject is affiliated with a gang. This includes, but is not limited to, subjects who:

- (a) Wear known, gang-related clothing (i.e., specific colors, designs).  
Have known, gang-related tattoos and associate with documented gang members.