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**SUBJECT: COMPLAINT OR INCIDENT REPORT (75-48)
PLEAC 4.12.1**

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**SUBJECT: COMPLAINT OR INCIDENT REPORT (75-48)
PLEAC 4.12.1**

1. POLICY

- A. To establish and maintain a permanent written record of all founded offenses, arrests, complaints, particular incidents, and services requiring police action, a Complaint or Incident Report (75-48), will be prepared at the time that each complaint, offense, or incident is received or observed and will serve as the basic report for such complaint, offense, or incident.

NOTE: Exceptions to the requirement to prepare a 75-48 are described in Section 6.

- B. The 75-48 will be submitted to the uniformed, numbered police district having jurisdiction over the location wherein the complaint or incident occurred or exists.
- C. All police reports will be classified in accordance with the procedures outlined in the Uniform Crime Reporting (UCR) Handbook and coded in accordance with the Philadelphia Police Department’s Incident Classification Manual (referred to as the Philadelphia Code).
- D. The Reports Control Unit will be the central repository for all completed and coded 75-48s.
- E. In compliance with the requirements of the Uniform Crime Reporting Acts, the Research and Analysis, Statistics Section, is responsible to enter the required Uniform Crime Reports (UCR) into the online Uniform Crime Reporting System on a monthly basis (PLEAC 4.12.1)

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2. ON-LINE INCIDENT TRANSMITTAL (INCT)

- A. The On-Line Incident Transmittal (INCT) is the computerized record of a complaint, incident, or offense (refer to Computer Training Bulletin 97-03). All applicable information supplied on the 75-48 (paper copy) must be entered into the INCT 75-48 inquiry screen by the Operations Room Supervisor (ORS) or their designee wherein the complaint or incident occurred or exists.

- B. All personnel responsible for the integrity of the INCT will ensure that all entries are accurate and complete. Uniform Crime Reporting statistics are derived from the INCT system and it is imperative that the information is correct and entered/updated within five (5) days.
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3. DEFINITIONS

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A. Unfounded Assignments/Incidents:

1. A report of a criminal offense or a complaint or incident, which upon an initial inquiry by the responding officer(s), proves to be totally groundless in that no evidence, complaint, or witness(es) exists to reasonably believe that a criminal offense was attempted or had occurred or a complaint or incident exists. An assignment is never "unfounded" when the responding officer(s) takes police action at a particular location.

- a. Initial Inquiry:

The initial steps taken by the responding officer(s) to determine if a criminal offense was committed or attempted or if there is a report of a complaint or incident. Initial steps include but are not limited to the following:

- exiting of a police vehicle to survey the area for complainant, witness(es), or evidence, etc.
- physical check of property or business
- mere inquiries to bystanders

- b. Police Action:

Police action would be steps taken by the responding officer(s) after an offense, complaint or incident is proved to be founded based on the initial inquiry.

2. The following three (3) questions must be answered "No" for an assignment/incident to be classified as unfounded:

- was an offense committed or attempted?
- was source of complaint identified?
- are there any facts, evidence, or witness(es) to support that an incident occurred?

If all three (3) questions are answered NO based on your initial inquiry, the assignment will be unfounded and a narrative entry will be made on the patrol log with the location and nature of the reported incident along with the fact it was unfounded.

NOTE: Officers should consult with a supervisor when doubt arises on the status of any assignment. An officer/supervisor always has the discretion to prepare a 75-48 on any assignment.

3. District Commander's Responsibility:

- a. District commanders will monitor the unfounded call rate in their districts and ensure that patrol supervisors are responding to assignments to ensure that the unfounded designation is being properly applied.

B. Defective/Accidentally Tripped Alarm (FAL or NFA):

1. For the purposes of this directive is an alarm that is activated in the absence of an emergency or crime either accidentally or through electrical/mechanical failure, in which case they are False Alarms (FAL). A Non-False Alarm (NFA) is one activated due to severe weather conditions, "Acts of God", power outages, or other extraordinary circumstances. If the police have been alerted to an alarm because a crime (robbery, burglary, theft, etc.) has taken place it is never considered defective or accidentally tripped and requires the completion of a 75-48.

C. Defective/Accidentally Tripped Fire Alarm (FAF):

1. For the purposes of this directive is an alarm that is activated in the absence of a fire or where there is no evidence that someone maliciously set off the alarm. If there is a fire or evidence exists that the alarm has been maliciously set off, then it is never considered defective or accidentally tripped and requires the completion of a 75-48.

4. GENERAL INSTRUCTIONS

- A. A 75-48 book will be issued to and carried by all uniformed and plainclothes police officers and sergeants when on duty.
- B. All 75-48s will be typewritten or hand-printed in black or blue ink. Ensure legibility of all information. Signatures will be written out. Initialed or typewritten signatures will not be accepted by Reports Control Unit.
- C. A District Control (DC) number will be required on every 75-48 submitted to Reports Control. All subsequent reports pertaining to the same case will carry the original DC number.

- D. The ORS who is about to submit a 75-48 to the Detective Division for investigation that is not clearly defined, will consult with the involved officer and highest ranking patrol supervisor prior to coding the report. This will reduce unnecessary reports and may avoid the reclassification process via an Investigation Report (75-49).

NOTE: If, however, the ORS indicates that a case is founded on the 75-48 and the "Report to Follow" block is checked "yes," but upon investigation, the assigned investigator determines that the case is unfounded, such change must be reported and substantiated on a 75-49 or a Supplemental Report (75-52) and the information is entered/updated in the INCT.

- E. An officer preparing a 75-48 will:

1. Complete all boxes except those which are the responsibility of the ORS.
2. Immediately contact the ORS via phone on all offenses and/or incidents requiring immediate action. The information contained on the 75-48 will be transmitted either over the phone or delivered in person at the direction of the ORS.

**5. PREPARATION OF THE COMPLAINT OR INCIDENT REPORT (75-48)
(PAPER COPY)**

- A. The officer preparing the 75-48 will obtain and insert the following information in the appropriate block on the face of the report in black or blue ink. DO NOT use pencil.
1. Year - Year reported.
 2. District of Occurrence - District in which crime or incident took place.
 3. Sector (PSA) - Sector in which crime or incident took place.
 4. District - District in which complaint is received.
 5. Vehicle # - Number of vehicle to which preparing officer is assigned. Use "FB" for foot beat, "PC" for plainclothes, and "WI" for a walk-in complaint.
 6. Date - The date complaint is received.
 7. Time Out - Time of assignment as given by Police Radio or upon observation.
 8. Time In - Upon completion of assignment the time Police Radio was notified.

9. Location of Occurrence - Exact location where the crime or incident occurred (use exact numerical address), also insert an "x" in the block indicating whether inside or outside.
 - a. If location of occurrence is different from location given over Police Radio, notify Police Radio of the correct location and insert it on the 75-48.
10. Date of Occurrence - The date on which the crime or incident took place, or if unknown, the last time the person/item was seen.
11. Time of Occurrence - The time (AM or PM) at which the crime or incident took place. If between times, use first time given (e. g., between 3:00 PM and 5:00 PM, use 3:00 PM). Note between times under "Description of Incident".
12. Nature of Injury - Indicate the general nature of the injury, i.e., "shot in right leg," "stabbed in back," etc.
13. Complainant - the name of the complainant/victim. Also enter correct age (date of birth), race and sex. If commercial property is involved, use name of firm or business.
14. Phone Numbers and Area Codes - Both home and business numbers where appropriate.
15. Address - Complete numerical address, including ZIP code.
16. Description of Incident - Record the specific radio assignment at the top of this section. Fully describe incident including exact information obtained by observation and by interview with complainant and/or witnesses. Include brief description of crime scene and/or any other evidence present, if applicable. When assignment is a minor disturbance, give a brief explanation (do not use "Minor Disturbance" only).

NOTE: If the complainant has an e-mail address, it should be placed in the narrative in the 'Description of Incident' section.
17. Witnesses - Complete name, address, and phone number of each witness to the crime or incident.
18. Offender Information - Complete description of offender to include as much of the following as possible: name, address, sex, race, age, DOB, height, weight, build, complexion, eyes, hair, distinctive marks, scars, tattoos, peculiarities, clothes, method of leaving the scene, vehicle information, and license number.

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19. Property Description - Complete description, including whether stolen or damaged and whether or not insured as well as the name and address of insurance company, if applicable.
 20. Stolen Property Value - Indicate complainant's estimate of total value of all property stolen ONLY.
 - a. All personnel will enter whole dollar values only. All cents will be rounded off to the nearest dollar and all decimals will be omitted.

EXAMPLE: \$ 24.00 - is entered as \$ 24
 \$ 36.25 - is entered as \$ 36
 \$125.80 - is entered as \$126
 - b. The Data Processing system will not accept any dollar amount followed by .00 or any other decimal designation.
 21. Report Prepared By - Affix signature, badge number, and district/unit.
 22. Total Pages and Page # - Insert number of pages used to complete report and page number of each.
 - a. If additional space is required, use a separate 75-48.
- B. The ORS or their designee will review each 75-48 paper report submitted to ensure that all required information is present and legible and will insert the following information in the appropriate blocks:
1. District Control Number (DC#) - insert DC number in the block at the top of the 75-48 and also in the block on the right-hand side (located under Stolen Value). Ensure that the DC number is inserted on each page of a multiple page 75-48.
 2. Day Code - use the correct number for the day of occurrence. Numbers are:
1 - Monday; 2 - Tuesday; 3 - Wednesday; 4 - Thursday; 5 - Friday; 6 - Saturday;
7 - Sunday.
 3. Crime or Incident Classification - All reports will be classified in accordance with rules set forth in the UCR Handbook and coded in accordance with the Philadelphia Police Department's Incident Classification Manual. Do not use the Pennsylvania Crimes Code for classification purposes.
 - a. When an investigation reveals a need for a classification change, the assigned investigator will submit a 75-49 or a 75-52 paper copy, depending on the status of the investigation and update the INCT with this information in a timely fashion.

4. Code - All reports will be coded in accordance with the Philadelphia Police Department's Incident Classification Manual (referred to as the Philadelphia Code).
5. Type of Premises - Use proper numerical location code found in the Philadelphia Police Department's Incident Classification Manual.
6. Founded - Check off "yes" or "no" block based on information contained in report.
7. Report to Follow - Check off the appropriate block in accordance with the procedure outlined in Section 6. When there is a report to follow, enter the unit assigned and unit code.
8. Investigation Control # - Insert investigating unit's control number which will be obtained from the investigative unit supervisor or their designee.
9. Solvability Factors - For each of the four factors identified on the report (Witnesses, Traceable Property, Unique Description of Offender, and Other Evidence), check off the appropriate block indicating whether or not the factor is present in every criminal case.
 - a. A solvability factor is information about a crime, which can provide the basis for determining who committed the crime. Without a solvability factor, the chances of finding a solution are small. When a solvability factor is present, there is a reasonable chance for a solution. Such factors could include, but are not limited to: serial numbers, unique descriptions, obvious marking, damage, etc.
 - b. The preparing officer's responsibility is to record all information on the 75-48 concerning the offense that may be related to one of the solvability factors.
10. Property Code - In the block marked "Prop. Code", insert the correct code number or letter pertaining to the type of property. In cases in which more than one type of property is listed, insert the code number/letter (listed below) for the type of property having the most value.

<u>Property Type</u>	<u>Code</u>	<u>Property Type</u>	<u>Code</u>
Currency, Bonds, etc.	= 1	Vehicles	= 7
TV, Radio, Stereo, etc	= 2	Clothing	= 8
Office Equipment	= 3	Firearms	= 9
Jewelry, Precious Metals	= 4	Furs	= A
Household items	= 5	Misc.	= B
Consumer items	= 6	Livestock	= C

11. Wanted/Stolen Message Sent - Whenever a wanted/stolen computer message is required, enter the general number, the date sent, the district/unit terminal identifier, the message receipt number, and the name and number of the sending officer.
 12. Reviewed by - Affix ORS's signature, badge number, and district/unit.
 13. Referral - Whenever investigating unit is notified by computer message that a report is to follow, enter the general number and the date referral message is sent.
 14. The ORS will ensure that all INCT entries are accurate and complete.
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6. ASSIGNMENTS NOT NORMALLY REQUIRING A 75-48:

A. A 75-48 is not necessary for the assignments/incidents listed below. However, in all of these cases officers may prepare a 75-48 where they deem it important and necessary. Additionally, officers will ensure that all pertinent information is placed on the Patrol Activity Log (75-158) and provided to Police Radio.

1. Back-up
 - a. Car Wash
 - b. Court
 - c. Escorts
 - d. Flat tires
 - e. Further Investigation
 - f. Garage or Radio Shop for repairs, maintenance, or service
 - g. Gas
 - h. Headquarters (out of service)
 - i. Illegal Parking
 - j. Lunch
 - k. Meet the officer
 - l. Report (in service)
 - m. Open fire hydrants (excluding defective ones)
 - n. Personal
 - o. Pick up crossing guard slip or gun slip
 - p. Security checks
 - q. School Crossings (in service)
 - r. Traffic post
2. Delivery of:
 - a. Hearing sheets
 - b. Inter-Departmental mail
 - c. Pawnbroker's bulletins

- d. Paychecks
- e. Stolen Car Digest
- f. Supplies

3. Transportation of:

- a. Barricades
- b. Evidence to Custodian/Court
- c. Fire or police personnel to fire grounds
- d. Prisoners for identification purposes or hearings
- e. Prisoners to county prison or Philadelphia Juvenile Justice Service Center (PJJSC)
- f. Prisoners en route to districts
- g. Witnesses

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B. With the exception of hospital cases transported by police, all of the assignments/incidents listed below also do not require the completion of a 75-48. However, the officer must inform Police Radio of the proper term or code (see below) prior to placing themselves back into service. Failure do so will institute a Report To Follow and the officer will be required to prepare a 75-48. For these assignments/incidents, the proper Philadelphia Code will automatically be entered into the INCT system when Police Radio enters the correct disposition code.

NOTE: Officers must ensure that all pertinent information related to the particular assignment/incident (e. g., names, action taken, description, company, addresses, other agency involvement, causes, injuries, etc.) are placed on the 75-158. A simple rule of thumb would be to include the same type of information that would have once been placed in the “description” block of the 75-48.

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However, if a person in police custody is transported from any police facility to a hospital or directly from an incident scene to a hospital, a separate set of district control numbers (DC#) will be requested from Police Radio for that transportation and a 75-48 will be completed. This set of DC#s will be in addition to those issued for the original incident. This 75-48 will be coded “3017” (Hospital Case in Police Custody) and the DC# of the original incident will be placed in the description of incident section of the hospital case 75-48.

The ORS will continue to ensure that the IAB Incident Notification Screen is filled completely. That screen will now require both the original DC# and the hospital case DC#. (Access to screen – SEND/IA1A/901).

1. <u>Assignment or Incident</u>	<u>Term or Code</u>
Unfounded	UNF (3412)
Disorderly Crowd	Dispersed by Police (DBP) Code 3306
Defective/Accidentally Tripped Fire Alarm	False Alarm Fire (FAF) Code 3106

NOTE If an alarm is maliciously set off or a false report is made of such an alarm the proper Philadelphia Code is 2610 (False Reports or Requests for Police Service.)

Unfounded Local Fire	UNF (3412)
Investigation Vehicle Unoccupied	IVU (3113)

NOTE: If the vehicle is suspected or confirmed to be abandoned or involved in a crime (except parking violations), a 75-48 is required.

Hospital Case (including Sick Assists)	Hospital Case No Action (HCN) Code 3016 (or 3014 for sick assist)
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NOTE: If an individual is transported by police or the incident involves a crime, a 75-48 is required, using the DC number of the original incident.

Defective/Accidentally Tripped Alarm	False Alarm (FAL) Code 3105
Non-False Alarm (NFA)	Code 3116

NOTE: If Operations Room personnel receive a 75-48 for an alarm indicating a crime has been committed, they will override the code designation in INCT and enter the proper Philadelphia Code.

- C. Additionally, the following three incidents no longer require the completion of a 75-48 as long as one of the corresponding forms is being completed as a result of that incident.

<u>NO 75-48 NEEDED FOR</u>	<u>IF THIS FORM IS COMPLETED</u>
Theft of Vehicle	Vehicle Theft Report (75-71)
Missing Person	Missing Person Report (75-74a)
Motor Vehicle Accident	Police Crash Report (AA-500) or Accident Report (75-48C)
Abandoned Vehicle	Abandoned Vehicle Report (75-140)
Domestic Incident	Domestic Response Form (75-48D)

1. Regarding Theft of Vehicle reports, the 75-71 may be given to the public via the Department of Records when requested.

NOTE: If a Stolen Vehicle is recovered, a 75-48 with an additional DC number will always be required. This 75-48 will be coded 721--“Recovery of Stolen Vehicle” and list the pertinent information on the recovery.

2. Regarding missing person reports, a 75-48 using the original DC number will always be required when a missing person has been found.
3. Regarding vehicular accidents, if an AA-500 is required per Police Department policy, then a 75-48C will not be required. If the vehicular accident does not require the completion of an AA-500, then a 75-48C is required. A photocopy of the front page of the AA-500 will be made and stored in the district Operations Room in order to serve members of the public when they are requesting accident information.

NOTE: Enter into the INCT system “Y” under the RTF column if an AA-500 is required and an “N” under the RTF column if only a 75-48C is required.

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4. Regarding Abandoned Vehicle Reports, the District of Occurrence copy will be forwarded to the District of Occurrence for filing in the district’s Abandoned Auto File.
- D. When circumstances dictate that no 75-48 (paper copy) is required, entries into the INCT 75-48 inquiry screen are still required.

7. REPORT TO FOLLOW (O.R.S. RESPONSIBILITIES)

- A. The ORS will check "yes," "no" or "close out" after reviewing the contents of the report.
- B. The “Report to Follow” block will be checked "yes" when:
 1. An arrest is made and an investigative report is required.
 2. The offense is a Part I offense (except for Theft “close-out”).
 3. The offender is unknown regardless of the grade of the offense (see EXCEPTION: Section 6-D).

4. The offense is a "close-out" code for which at least one solvability factor is present. (See Appendix "A").
5. The offense is such that an arrest could be made pursuant to Section 2711, Crimes Code -- Probable Cause for arrest in domestic violence cases, whether or not an arrest has been made. A 75-49 is required in all of these cases.
6. Founded Hazardous Materials Incidents.
7. Service of any legal process documents as outlines in Directive 12.19, "Service of Legal Process."

C. The "Report to Follow" block will be checked "no" when:

1. The complaint or incident is one that does not require a report to follow.
2. The offense reported is minor in nature (e. g., non-violent Part II misdemeanor or summary for which no immediate arrest is made) AND the name and address of the offender is known and the complainant refuses to prosecute, or is advised to obtain a Criminal Complaint from the District Attorney's Office, or is referred to another agency.
 - a. The preparing officer will record the action taken in the "description of incident" block and the name and address of the offender in the "offender information" block. Include a brief description of referrals to other agencies with telephone numbers where appropriate. Obtain the signature of the complainant or note "refused to sign" if such is the case.

D. The "Report to Follow" block will be checked "close-out" when:

1. The offense is classified as a "close out" offense in Appendix "A" and there are no solvability factors present.

EXCEPTION: Codes 643 (Theft of Rear-Windshield Vehicle Registration Sticker), 649 (Theft of Motor Vehicle Tags) and 3205 (Lost Motor Vehicle Tags) may be classified as "close-outs" when there is no solvability factor present other than the tag number. When there is additional information present, the "Report to Follow" block will be checked "yes" and a 75-49 will be required.

E. For all 75-48s requiring a Report to Follow, the ORS will:

1. Enter the district/unit responsible for the investigation and the unit code number in the appropriate blocks.

2. Immediately notify the investigative unit responsible via computer message and enter the date referred and the general number in the appropriate blocks.
 3. Enter the investigative unit's control number in the appropriate block when received from the investigative unit.
 4. Ensure that the INCT information is accurate and complete.
- F. All 75-48s classified as "close-outs" will serve as the investigation report for the offense. The 75-48s will be entered into the computer under the same procedure applicable to 75-49s. Any subsequent reports will be prepared using 75-52s. Completed "close-out" 75-48s will be forwarded to Reports Control and are subject to review by the Quality Assurance Bureau.
1. The ORS will ensure that the proper computer messages are sent (wanted/stolen/lost, etc.) on "close-outs" to the detective division of occurrence and to the following computer terminals ONLY:

KMMP - Data Processing
PPDP - Data Processing
 - a. These computer messages will not be sent Department-wide via BT or AL.
 - b. The general number, date sent, terminal and receipt number and name of sender will be properly recorded on the 75-48 in the appropriate blocks.
 2. Simultaneous transmission of the close-out 75-48 information computer message to the designated terminals can only be accomplished by bringing up the computer screen and typing in the following:

SEND/LIST//Detective Computer Designation, KMMP, PPDP
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8. INVESTIGATIVE DIVISIONS/UNITS

- A. Personnel assigned to investigative divisions/units receiving reports that require a 75-48 but were not previously reported to a numbered district, will prepare a 75-48, obtain a DC number from the district of occurrence, retain the yellow copy, and forward the white and pink copies to the appropriate numbered district. The district of occurrence will also be notified via 75-48 computer message.
- B. Under no circumstances will the investigator change the incident classification recorded on the 75-48 (paper copy) or in the INCT.

9. REFERRALS

- A. Referrals are complaints occurring in one district and reported to another district Police personnel receiving the complaint will:
1. Interview the complainant and obtain full information concerning the complaint.
 - a. When it is ascertained that the complaint occurred in another district, notify Police Radio of the correct location and have a DC number assigned.
 - b. Prepare a 75-48 or other paperwork, where necessary.
 2. Inform the complainant where they may inquire for further information concerning the complaint.
 - a. Police personnel will not refer a complainant to another location within the Police Department to lodge a complaint. (EXCEPTION: District Headquarters located in the same building.)
 3. Immediately submit to the ORS all reports of offenses and/or incidents requiring immediate action.
 4. The ORS on duty in the district where the complaint was first reported will notify the ORS in the district of occurrence via 75-48 computer message.
 - a. Obtain the DC number from the district of occurrence and insert it in the "details" block of the 75-48.
 - b. Classify the submitted 75-48 "Investigation - Other District," code 3117.
 - c. Initiate any required radio or computer message.
 - d. Forward any signed reports via police mail to the district of occurrence as soon as possible.
 5. The ORS on duty in the district of occurrence will:
 - a. Prepare, sign, and submit the 75-48. Ensure that the 75-48 is classified with the actual code for the offense/incident.
 - b. Ensure that the pertinent investigative unit is notified, when applicable.
 - c. Ensure that information entered into the INCT is accurate and complete.

10. DISTRIBUTION OF COMPLAINT OR INCIDENT REPORT (75-48)

A. White copy (original):

1. Retain in Operations Room until due date.

B. Yellow copy (1st carbon copy):

1. Report to Follow - Pertinent investigative unit
2. Close Outs - Detective division of occurrence
3. No Report to Follow - Other City agency (when applicable) or district file.

C. Pink copy - (2nd carbon copy):

1. Report to Follow and close-outs - district file.
2. No Report to Follow - District file (when yellow copy is sent to another agency).
 - a. The Differential Police Response Unit (DPR) of Police Radio will handle certain complaints by telephone and submit them to the Reports Control Unit. The DPR Unit will also notify the district of occurrence via a DPR general message.

NOTE: The distribution of the 75-48s which are written by personnel from the DPR Unit will be as follows:

White copy (Original) with updated INCT is to be sent to the Reports Control Unit. They will send the yellow copy to district of occurrence.

Yellow copy (first carbon copy) to district of occurrence.

Pink copy (second carbon copy) maintained by DPR for 90 days.

3. The detective division of occurrence will be provided with all necessary information to complete a 75-49 (paper copy) and INCT entries via a DPR general message.

11. ON-LINE INCT TRANSMITTAL LIST

A. The ORS will:

1. Ensure that only one (1) DC# number is issued for each complaint or incident.
2. In all incidents involving a motor vehicle accident and an incident/offense with a lower Philadelphia Police Department's Incident Classification, ensure that a walk-in DC# number is obtained and a separate 75-48C is prepared for the motor vehicle accident.

EXAMPLE: Intoxicated driver involved in a traffic accident.

3. When a DC# is inadvertently skipped or duplicated:
 - a. Contact a Police Radio room supervisor immediately.
 - b. Submit memorandum to the Commanding Officer, Police Radio.
 - c. Submit memorandum to Commanding Officer, Reports Control Unit.
4. Ensure that the INCT system is accurate and complete.

12. TRANSMISSION OF THE COMPLAINT OR INCIDENT REPORT (75-48) AND THE ON-LINE TRANSMITTAL (INCT)

A. All 75-48s submitted will be separated by the ORS in accordance with the following:

1. All 75-48Cs, which are coded in the 3700 Series, will be arranged in DC number order and submitted separately with the Vehicle Accident Report Transmittal (75-576) to the Traffic Section, Research and Analysis Unit, Room 203, Police Headquarters on a daily basis.
2. All Part I 75-48s (codes 100 through 700) will be arranged in DC number order and banded together in a single pack. A copy of the INCT Transmittal List will be wrapped around the package and submitted to Reports Control Unit.
3. Additionally, in all Theft of Vehicle reports, the computer 75-71 will be sent along with the packaged 75-48s and will be arranged in DC number order.

4. All remaining 75-48s will be arranged in DC number order and banded together in a single pack with a copy of the on-line INCT Transmittal List wrapped around the 75-48s. They also will be sent to Reports Control Unit.
- B. Commanding Officers will ensure compliance with the following schedule for the transmittal of the 75-48s (all reports must be submitted on the date due):

<u>Day of Reports</u>	<u>Day For Submission (12 AM-8 AM)</u>
Monday's 75-48s	Sunday
Tuesday's 75-48s	Monday
Wednesday's 75-48s	Tuesday
Thursday's 75-48s	Wednesday
Friday's 75-48s	Thursday
Saturday's 75-48s	Friday
Sunday's 75-48s	Saturday

NOTE: The Reports Control Unit will not accept any packs of 75-48s that contain delinquents. The entire package must be complete or it will be sent back to the Commanding Officer of the district/unit.

13. OBTAINING POLICE REPORTS

- A. Any complainant requesting a copy of the 75-48 for any incident, including an accident report, will be told to go to the nearest police district, obtain the DC# number, and the appropriate application form.
- B. The ORS's Responsibility:
 1. If the complainant arrives at a district other than the district of occurrence, the ORS will access the INCT and obtain both the correct DC number and incident code. Have the complainant then complete the appropriate application form and either go in person to Room 167, City Hall or mail the application to the address listed on the form.
 2. Inform the complainant to mail the appropriate application form to the Department of Records. Police personnel will no longer tell any complainant to personally visit the Department of Records to obtain a copy of the requested form. All applications are more effectively handled by mail.
 - a. When a complainant is requesting a copy of a 75-48, they will be given an Application for Search and/or Extract of Police Incident or Offense Report (82-47(4)), along with the necessary DC number.

- b. When a complainant is requesting a copy of a Police Crash Report (AA-500), they will be given an Application for Traffic Accident Report or Photograph, along with the necessary DC number.
- c. These forms may be obtained through the Records Department, Forms Management Unit, located in Room 167 City Hall, by calling (215) XXX-XXXX.

*8 3. Any Domestic Violence Victim who requests a copy of their police report (75-48D) will be provided a copy of the report, free of charge and without delay, from either the district of occurrence or the Divisional Detectives. The victims are required to produce a copy of these reports (75-48D) to receive the proper Victim Services, such as immediate shelter and housing. These victims should NOT be sent to City Hall by police personnel to order these reports. This creates a delay in the access to Victim Services.

RELATED PROCEDURES:	Directive 7.1,	Police Radio
	Directive 9.6,	Vehicular Accidents
	Directive 12.7,	Vehicle Theft Investigations
	Directive 12.8,	Vehicle Investigations
	Directive 12.12,	Investigation Report (75-49)
	Directive 12.13,	Missing Persons
	Directive 12.17,	Patrol Activity Log
	Training Bulletin 97-3,	Incident Transmittal System

<u>*FOOTNOTE #</u>	<u>GENERAL #</u>	<u>DATE SENT</u>	<u>REVISION</u>
*1	1258	11-26-01	Addition
*2	6147	12-17-01	Addition
*3	3819	07-09-02	Additions
*4	6161	10-03-02	Change
*5	3046	10-17-02	Addition
*6	0622	11-14-07	Additions
*7	4574	10-27-09	Additions
*8	3252	01-12-10	Additions/Changes
*9	3021	10-10-11	Revised Apdx "B"
*10	3023	10-10-11	New Apdx "C"
*11	3025	10-10-11	New Apdx "D"
*12	5518	11-01-12	Addition
*13	2778	01-25-13	Apdx "B" Change
*14	7673	03-25-13	Apdx "B" Change
*15	3526	05-08-13	YSC Name Change
*16	0995	07-24-14	Changes/Additions Apdx B
*17	0634	06-29-15	Changes/Additions Apdx B

*18	4360	07-07-15	Addition/ Apdx B
*19	0022/0025	11-24-15	Additions/Changes Apdx B

BY COMMAND OF THE POLICE COMMISSIONER

PLEAC – Conforms to the standards according to the Pennsylvania Law Enforcement Accreditation Commission



PHILADELPHIA POLICE DEPARTMENT DIRECTIVE 12.11

APPENDIX “A”

Issued Date: 11-23-01	Effective Date: 11-23-01	Updated Date:
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SUBJECT: UNIT CODES AND CLOSEOUT CODES

1. UNIT CODE NUMBERS

- A. District, division or unit code numbers will be inserted (when required) on the Complaint or Incident Report (75-48) and on-line Incident Transmittal (INCT) before being submitted to the Reports Control Unit.

- B. When an offense is cleared by an arrest, or exceptionally cleared, the unit code number of the district or unit responsible for the clearance will be credited with the clearance on the Investigation Report (75-49) or Supplemental (75-52). The unit code number will be placed in the "Unit" block, which is to the right of the "Status" block on the 75-49.

NOTE: While the “Report to Follow” and the DAR codes are the same, not all units have the responsibility to submit an Investigation Report (75-49).

<u>Unit</u>	<u>Code</u>
1st District	0100
2nd District	0200
3rd District	0300
5th District	0500
6th District	0600
7th District	0700
8th District	0800
9th District	0900
12th District	1200
14th District	1400
15th District	1500
16th District	1600
17th District	1700
18th District	1800
19th District	1900
22nd District	2200
24th District	2400
25th District	2500
26th District	2600

35th District	3500
39th District	3900
Accident Investigation District	5400
Airport District	7700
Central Detective Division	6200
City Wide Vice Unit	9852
Civil Affairs Unit	9803
Detective Bureau Warrant Unit	6900
East Detective Division	5900
Environmental Response Unit	5201
H.I.D.T.A.	7407
Highway Patrol Unit	5300
Homicide Unit	6003
IMPACT Unit	8400
Internal Affairs Bureau	9800
Internal Affairs Investigations	6001
Major Crimes Unit	6002
Major Crimes Auto Unit	6004
Narcotics Intelligence	7400
Narcotics Strike Force	7402
Narcotics Field Unit	7404
Narcotics Task Force	7406
Northeast Detective Division	6400
Northwest Detective Division	6600
Criminal Intelligence Unit	9828
South Detective Division	6100
Southwest Detective Division	6500
Special Victims Unit	6702
Warrant Unit	6900

2. The code for the district of occurrence will be used for all district level reports to follow from an outside unit.

2. "CLOSE OUT" CODES

- A. The Operations Room Supervisor (ORS) can close out the following Crime Classification Codes on the 75-48 (paper copy and INCT) when there are no solvability factors present and the monetary value is less than \$2,000.00. Summary offenses where there is no arrest and no solvability factor may be closed out on the 75-48 (paper copy and INCT).

1. Philadelphia Incident Classification Codes (Philadelphia Code)

THEFT - \$200 and over

- 610 - Pocket Picking
- 612 - Retail Theft
- 615 - Bicycle
- 616 - From Buildings (except 612)
- 617 - From Any Coin-Operated Device or Machine (except 616)
- 619 - All Others (except Eyeglass and Chain Snatches, which always requires an Investigation Report 75-49)

THEFT - \$50 to \$199.99

- 620 - Pocket Picking
- 622 - Retail Theft
- 625 - Bicycle
- 626 - From Buildings (except 622)
- 627 - From Any Coin-Operated Device or Machine (except 626)
- 629 - All Others (Except Eyeglass and Chain Snatches, which always requires an Investigation Report 75-49)

THEFT - Under \$50 (Include Attempts)

- 630 - Pocket Picking
- 632 - Retail Theft
- 635 - Bicycle
- 636 - From Buildings (except 632)
- 637 - From Any Coin-Operated Device or Machine (except 636)
- 639 - All Others (except Eyeglass and Chain Snatches, which always requires a 75-49)
- 643 - Rear-windshield Vehicle Registration Sticker
- 649 - Motor Vehicle Registration Plates

NOTE: All Reports to Follow for stolen motor vehicle tags must refer to the original DC number.

THEFT From Vehicle

- 614 - Non-Accessories, \$200 and Over
- 618 - Accessories, \$200 And Over
- 624 - Non-Accessories, \$50 to \$199.99
- 628 - Accessories, \$50 to \$199.99
- 634 - Non-Accessories, Under \$50 (includes attempt)
- 638 - Accessories, Under \$50 (includes attempt)
- 640 - Car phone, cellular phone/lap-top computer non-accessory, \$200 and over.
- 641 - Car phone, cellular phone/lap-top computer non-accessory, \$50. to \$199.99
- 642 - Car phone, cellular phone/lap-top computer non-accessory, under \$50.

NOTE: Theft from Vehicle codes 640, 641 and 642 will be handled as 'close-outs' unless a solvability factor exists other than the serial number and the value is less than \$2,000.

Close Out Codes Other Than 600 Series*

- 728 - Attempted Auto Theft
- 3201 - Lost Property (Excluding guns, hazardous materials, and Motor Vehicle Registration Plates)
- 3205 - Lost Motor Vehicle Registration Plates
- 3208 - Missing Property (excluding guns and hazardous materials)

*1400 series (Vandalism) codes may be close-outs if there is no value and/or solvability factors.

BY COMMAND OF THE POLICE COMMISSIONER



PHILADELPHIA POLICE DEPARTMENT DIRECTIVE 12.11

APPENDIX “B”

Issued Date: 10-10-11	Effective Date: 10-10-11	Updated Date: 11-24-15
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SUBJECT: VEHICLE OR PEDESTRIAN INVESTIGATION REPORT (75-48A)

1. POLICY

- *16 A. A fundamental element of the mission of the Philadelphia Police Department is to “enforce laws while safeguarding the constitutional rights of all people.” To safeguard these rights, all investigative detentions, traffic stops, arrests, searches, frisks and property seizures by officers shall be based upon a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and Article I, Section 8 of the Pennsylvania Constitution.

 - *19 B. All 75-48A reports will be entered directly into the Electronic 75-48A system by the investigating officer or personnel designated by the Operation Room Supervisor.

 - C. All reports will be coded in accordance with the Philadelphia Police Department’s Incident Classification Manual (Philadelphia Code).

 - *16 D. The integrity and regular auditing of all 75-48A reports shall be the responsibility of the Divisional or Special Unit Inspector, subject to review by the Standards and Accountability Bureau.

 - *16 E. Under no circumstances shall 75-48A reports or any other stop reports generated by outside law enforcement agencies be included or entered into the Philadelphia Police Department’s Electronic 75-48A system or shall Philadelphia Police Department District Control Numbers (DC#s) be generated for these stops.
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2. ON-LINE INCIDENT TRANSMITTAL (INCT)/ ELECTRONIC 75-48A SYSTEM

- A. The on-line Incident Transmittal (INCT) is the computerized record of a complaint, incident or offense (refer to Computer Training Bulletin 97-03). All applicable information supplied on the 75-48A (paper copy) must be entered onto the INCT 75-48 inquiry screen by the ORS or their designee, wherein the complaint or incident occurred or exists.

- B. All personnel responsible for the integrity of the INCT will ensure that all entries are accurate and complete. Uniform Crime Reporting (UCR) statistics are derived from the INCT system and it is imperative that the information is correct and entered/updated in a timely fashion.
- C. Electronic 75-48A system procedures:
1. Officers will directly input information via the Mobile Data Computer (MDC). However, if a MDC is inaccessible, officers shall prepare a paper or working copy of the 75-48A report and submit it to the ORS.
 2. Personnel designated by the ORS will input the information from these reports into the Electronic 75-48A system.
 3. All personnel responsible for the entry and integrity of the 75-48A system will ensure that all entries are accurate, complete and mirror the paper or working copy of the 75-48A report submitted by the officer, including the proper payroll number of the officer making the stop.
 4. Any paper or working copies of 75-48A reports submitted by officers shall be retained for six (6) months from the date of the stop to ensure the accuracy of the data submitted by officers to the actual data entered into the 75-48A system.
 5. Electronic 75-48A reports shall be retained for six (6) months from the date of the stop.

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3. DEFINITIONS

- A. Probable Cause Defined: Facts and circumstances which would support a reasonable belief that a crime has been committed and that the person to be arrested committed the crime. Probable cause involves an examination of all the facts and circumstances known to the officer at the time of an event.
- B. Reasonable Suspicion Defined: The standard of proof necessary for a police officer to engage in a temporary investigatory detention of an individual. While reasonable suspicion is a lesser standard of proof than probable cause, it must be supported by specific and articulable facts for suspecting a person of criminal activity. Each individual fact or observation alone may be as consistent with lawful conduct as it is with criminal activity. However, the combination of several different facts and observations, would lead to a reasonable belief that illegal activity is taking place.

- C. Frisk of the Person or Vehicle Defined: A frisk of a person (also called a **Pat Down**) is a search of a person's outer clothing wherein a person runs their hands along the outer garments to detect any concealed weapons, but not for any evidence or other contraband. A frisk of a vehicle (also called a **Cursory Vehicle Search**) is a search of the passenger compartment of a motor vehicle limited only to those areas in which a weapon may be placed. Police may only frisk a person or vehicle lawfully stopped when the officer has additional reasonable suspicion to believe that the person detained may be armed.
- *19 D. Non-Verified Flash Information (Anonymous): Flash information from a caller that has not provided their name or flash information that cannot be confirmed.
- *19 E. Verified Flash Information: Flash information with an indication of reliability with the capability to test the caller/informant's knowledge or credibility. This includes (1) flash information from a law enforcement officer, (2) flash information from a caller who has identified themselves, and (3) flash information relating to any Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Theft, Auto Theft, or Arson.

4. GENERAL INSTRUCTIONS

- A. The 75-48A reports will be issued to and carried by all uniformed and plainclothes police officers and sergeants when on duty.
- *16 B. Any member of the Philadelphia Police Department who initiates a vehicle, pedestrian, curfew or truant investigation shall prepare a Vehicle or Pedestrian Investigation Report (75-48A). This report will be submitted to the numbered police district having jurisdiction over the location wherein the vehicle or pedestrian investigation occurred, except as noted in Section 4-H.
- C. All 75-48A reports will be handwritten legibly in black or blue ink along with the complete signatures of both the officer preparing the report and the supervisor reviewing the report.
- D. Electronic 75-48A Reports on all pedestrian, and vehicle investigations will be recorded in the Electronic 75-48A system. Paper versions of this report may be used as "working copies" from which either the investigating officer or personnel designated by the ORS may later input the information into the Electronic 75-48A system.
- E. A 75-48A report will be prepared for the following Philadelphia Police Department's Incident Classification Codes:
 - 2680 - Curfew Violation - Highway (Arrest)
 - 2681 - Curfew Violation - In an Establishment (Arrest)
 - 2682 - Curfew Violation - Parent Only (Arrest)

- 2683 - Curfew Violation - Operator/Proprietor (Arrest)
- 2684 - Curfew Violation - Highway (Remedial)
- 2685 - Curfew Violation - In an Establishment (Remedial)
- 2701 - Investigation of Person
- 2702 - Investigation of Vehicle Occupants
- 2707 - Tow Truck Investigation
- 2807 - Live Stop – No Tow
- 2808 - Vehicle Impounded per Vehicle Code 6309.2 (Live Stop)
- 2811 - All Others Including Truck Impoundments
- 3129 - Truancy

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NOTE: A “check on the well-being” assignment will no longer be coded as an “Investigation of Persons (2701)”. This assignment will now be coded as an “Investigation of Premises (3116)”. Any assignment coded 2701 will not be sent to the Reports Control Unit, but will be stored in the district.

- F. A District Control (DC) number will be required for each 75-48A submitted. A separate Complaint or Incident Report (75-48) WILL NOT be required. The 75-48A will be a substitute for this report. **However, if an arrest is made as a result of an investigation, the officer will be required to complete both a 75-48 for the arrest and a 75-48A for the underlying vehicle or pedestrian investigation. Two sets of DC numbers will be obtained; one set for the arrest and one for the vehicle or pedestrian investigation.**

NOTE: In order to track pedestrian or vehicle investigations involving arrests, the 75-48 and the 75-48A must be cross-referenced by DC number.

EXAMPLE: “Refer to DC Number _____ on 75-48A” and
 “Refer to DC Number _____ on 75-48”.

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- G. When an arrest has been made that originated from a pedestrian or vehicle Investigation. The arresting officer will provide the assigned detective with either a hard copy of the 75-48A or with a printed copy of the Electronic 75-48A Report. This will become part of the discovery package.

- H. The original 75-48A will be maintained in a separate file, sequentially by DC number at the numbered district wherein the vehicle or pedestrian investigation occurred.

EXCEPTION: The original 75-48A generated by the Narcotics Strike Force, Traffic, SWAT, Highway Patrol, and Canine Unit will be maintained in a separate file, sequentially by DC number at the respective special unit’s headquarters.

- I. An officer preparing a 75-48A will complete all boxes except those which are the responsibility of the Operations Room Supervisor (ORS).

- J. A sight arrest for a crime or an offense is not a pedestrian investigation. The basis for arresting the person will be recorded on the 75-48. A separate 75-48A is not required. However, if an individual is stopped and being investigated and probable cause develops during this investigation to make an arrest, the 75-48A will be completed for the initial investigation and a 75-48 will be completed for the arrest. A separate DC number will be required for each report.
- *17 K. A 75-48A report is required for occupied vehicle investigations (Phila. Code 2702) and pedestrian investigations only (Phila. Code 2701).
- *17 L. A District Control Number (DC#) is required for every occupied vehicle investigation and every individual investigated for a pedestrian investigation. This includes passengers investigated in a vehicle as a result of a lawful vehicle stop for traffic violations.
- *17 **NOTE:** Passengers in a vehicle during a stop are recorded on the same 75-48A as the driver, however, separate DC#s are generated for each passenger and recorded on the 75-48A.
- *17 M. DUI Check Points: A 75-48A will only be required for vehicles that are pulled out of the flow of traffic and investigated. Merely speaking to the driver of a vehicle at a checkpoint does not require a 75-48A.
- N. Live Stop Impoundments – if during a vehicle investigation information is received that;
- the operator has no operator’s license,
 - the operator’s license is either revoked or suspended,
 - the vehicle being operated is unregistered or,
 - the vehicle’s registration has been revoked or suspended.
1. The investigating officer shall complete the Pedestrian and Vehicle Investigation Report (75-48A). The Incident Classification Listing (i.e., Philadelphia Code) shall be 2808 – Vehicle Impounded per Vehicle Code 6309.2 (Live Stop).
 2. In addition to the required information, the investigating officer shall in the “Notes” section record the TVR numbers of all citations issued, the name and tag number of the Parking Authority driver and vehicle and any actions taken with the occupants (i.e. transported home, taken to police district, taken to public transportation hub).
- *18 O. Officers shall complete and submit all Electronic 75-48A reports into the Electronic 75-48A system to be reviewed by a supervisor within five (5) calendar days from the date of report. If a report is returned by a supervisor, the officer shall place any correction or clarification in the “Comments” section of the report. All other areas with the exception of the DC# will be locked.

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- P. Officers must, at least once during every tour of duty, check the Electronic 75-48A system to determine if any 75-48A reports have been sent back to the officer by the reviewing supervisor. Officers shall take any necessary actions with respect to these reports and resubmit before the end of their tour of duty.

5. PREPARATION OF THE VEHICLE OR PEDESTRIAN INVESTIGATION REPORT (75-48A) - GENERAL INFORMATION SECTION

- A. “GENERAL INFORMATION” SECTION - The officer preparing the 75-48A will obtain and insert the following information in the appropriate block on the face of the report in black or blue ink (Blank spaces are not acceptable). The information to be inserted in the appropriate block is as follows:
1. “Year” - year in which the report is taken.
 2. “District of Occurrence” - district in which the investigation occurred.
 3. “Sector” - the Police Service Area (PSA) in which the investigation took place.
 4. “District” - district of assignment of the reporting officer.
 5. “Vehicle Number” - number of the vehicle to which preparing officer is assigned. (Use “FB” for foot beat, “PC” for plainclothes, unless a tactical number is being used.)
 6. “Report Date” - the date the investigation takes place.
 7. “Type of Stop” - check the appropriate box (curfew, truant, vehicle, or pedestrian).
 8. “Location of Occurrence” - the exact numerical location where the investigation occurred. Also, check the appropriate box whether the investigation occurred inside or outside.
 9. “Time Out” - the time Police Radio is notified of the investigation.
 10. “Time In” - upon completion of investigation, the time Police Radio was notified.
 11. “Date/Time of Occurrence” - the date of the investigation and time (AM or PM) of the investigation.
 12. “Date/Time of release or Arrest” - the time the operator or pedestrian was released or operator and/or occupant(s) were placed under arrest (check AM or PM).

- *17
13. "Name of Pedestrian or Operator" – the full name of the operator or pedestrian. If passengers are investigated in a vehicle or additional pedestrians are present and separate reasonable suspicion exists to investigate the additional pedestrians, the appropriate information will be inserted in the space provided. A separate DC# is required for every occupied vehicle investigation and for each passenger or pedestrian investigated (DC#s for passengers will be recorded on the same 75-48A as the driver)
 14. "Sex" - male or female.
 15. "Age" - actual age of the operator or pedestrian.
 16. "DOB" - date of birth of the operator or pedestrian.
 17. "Race" - the race of the operator or pedestrian (W - White; B - Black; A - Asian, Pacific Islander; I - American Indian/Alaskan Native).
 18. "Latino" - check either "yes" or "no".
 19. "Address Number" - insert the exact numerical address and street name, city, state, and ZIP code, if known; in the appropriate boxes (insert apartment number or letter if applicable).
 20. "Dist. Res." - district in which operator or pedestrian lives.
 21. "Nickname" - insert if known.
 22. "SSN" - insert the last four (4) digits of the operator's or pedestrian's Social Security number, if known. (Note: due to the rise of identity theft, many individuals may be unwilling or outright refuse to provide this information. Officers will simply insert "refused" in the block.)
 23. "Operator's license #" -include number and state.
 24. "Physical Description" - estimate the height, weight, physical build, facial hair, eye color, hair color, complexion, and clothing information in the appropriate boxes.
- *19
- B. PEDESTRIAN INVESTIGATION SECTION ("PED STOP") - If a pedestrian investigation is conducted, the facts and circumstances which would support a reasonable belief that a crime or offense has been or is being committed and that the person stopped is the offender must be articulated in the space provided.

1. Disturbances: OFFICERS SHALL NOT USE THE 75-48A to document disturbances where no criminal conduct is suspected and no individuals are investigated, such as minor domestic disturbances, neighbor disputes, verbal disputes, etc. These incidents are to be reported on the pertinent form (e.g., 75-48 or 75-48D).
2. Flash Information:
 - a. Anonymous Flash Information: According to the United States Supreme Court, anonymous reports of crimes broadcasted by Police Radio, including illegal gun assignments, DO NOT, by themselves amount to reasonable suspicion to detain and frisk an individual.
 - 1) An individual merely matching the description of an anonymous report of a Crime from a 9-1-1 call is not a legal basis to stop and frisk an individual. Officers must still observe specific and articulable facts that would lead a reasonable officer to believe the individual is involved in or about to commit a crime.
 - 2) This does not mean that an officer may never initiate a Terry stop as a result of an anonymous 9-1-1 call. A Terry stop may be initiated upon the anonymous call provided the tip can be sufficiently corroborated by independent police work and observations that would give rise to a reasonable belief that the tip was correct (i.e., independent reasonable suspicion). Upon arrival on location, officers will use their knowledge and experience in an effort to establish reasonable suspicion to stop an individual when warranted.
 - 3) When responding to anonymous reports of crime through 9-1-1 flash information, if officers are presented with facts and circumstances which would support a reasonable belief that a crime or offense has been or is being committed, independent of the flash information, then a Terry stop of the offender would be justified. The facts and circumstances supporting the reasonable suspicion must be articulated in the space provided on the 75-48A.
 - 4) However, when responding to anonymous reports of crime through 9-1-1 flash information and reasonable suspicion CAN NOT be independently established, NO DETENTION will take place and no 75-48A will be completed. Officers may engage individuals in a mere encounter, but the individuals may not be detained or frisked. A 75-48A shall not be used to document mere encounters.
 - 5) To assist responding officers, police radio will dispatch anonymous information as follows: "Officers use caution this information is not verified."

b. Verified or Confirmable Flash:

- 1) This information with an indication of reliability with the means to test the caller/informant's knowledge or credibility. This includes flash information received from an identifiable or confirmable source such as, (1) a law enforcement officer, (2) a caller who has identified themselves, or (3) flash information relating to any Part 1 crime in progress with an ascertainable victim/witness (i.e., Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Theft, Auto Theft, or Arson).
 - a) Verified Flash Information, alone, DOES PROVIDE THE REASONABLE SUSPICION NECESSARY TO CONDUCT A TERRY STOP.
 - b) To assist responding officers, police radio will dispatch verified flash information as follows: "Officers be advised this information is verified."

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- C. VEHICLE INVESTIGATION SECTION ("VEHICLE STOP") - If a vehicle stop is conducted, one of the three boxes must be checked. Also, the facts and circumstances which would support a reasonable belief that a crime or offense has been or is being committed and that the vehicle stop is occupied by the offender(s), must be articulated in the space provided.

NOTE – VEHICLE PASSENGERS: According to the United States Supreme Court, the basis for the vehicle stop provides the reasonable suspicion necessary to lawfully detain the passengers. This is true, even if the officers have no reason to suspect criminal activity by the passengers.

While a traffic stop allows the driver and passengers to be detained during the investigation, it DOES NOT automatically authorize an officer to frisk the driver or passengers. Officers must have additional reasonable suspicion to believe the driver or passenger has a weapon that could harm the officer. The additional reasonable suspicion must be articulated on the 75-48A in the space provided when every frisk is conducted.

If passengers are detained in a vehicle being investigated for traffic violations, the appropriate information will be inserted in the additional space provided. A separate DC# is required for every occupied vehicle investigation and for each passenger or pedestrian investigated.

1. "Vehicle in Violation of MVC" Box: Indicates that the officer had probable cause to believe the operator and/or passengers of the vehicle stopped had violated some provision of the Vehicle Code.

- a. In the “Reason to Stop” box, Officers must provide the facts and circumstances which would support a reasonable belief that a violation had been committed and that operator and/or passenger(s) in the vehicle is/are the offender(s).
 - b. While Officers have discretion whether to issue a citation, they must indicate accordingly in the “TC Issued?” box (i.e. yes or no).
2. “Vehicle Involved in Criminal Activity” Box: Indicates that the officer had probable cause to believe the operator and/or passengers of the vehicle stopped had committed a crime or other offense.
- a. In the “Describe Fully Including Suspected Crime” box, Officers must provide the facts and circumstances which would support a reasonable belief that an offense had been committed and that the person operating or in the vehicle is/are the offender(s).
 - b. The “Arrest” box must be marked accordingly.
 - c. If an arrest is made, the DC Number of the arrest should be cross-referenced on both the 75-48A and the Arrest 75-48.
 - d. If an arrest is made, the appropriate information regarding the victim/witness should be inserted accordingly (see Ped Stop Section of 75-48A).
3. “Other” Box: Indicates that reasonable suspicion existed to believe that the operator and/or passenger(s) of the vehicle stopped was/were involved in some criminal or illegal activity.
- a. In the “Describe Fully” box, Officers must provide the facts and circumstances which would support a reasonable belief that a crime or offense has been or is being committed and that the persons operating and/or in the vehicle is/are the offenders.
 - b. The “Arrest” box must be marked accordingly.
 - c. If an arrest was made, the DC Number of the arrest should be cross-referenced on both the 75-48A and the Arrest 75-48.
 - d. If an arrest is made, the appropriate information regarding the victim/witness will be inserted accordingly (see, Ped Stop Section of 75-48A).
- D. “SEARCH AND SEIZURE SECTION” - For all Ped and Vehicle Stops made, a “YES” or “NO” response is required for each box in this section.

1. “Individual/Vehicle Frisked” Box: Officers must indicate whether a “frisk” was conducted. If a Frisk/Pat-Down was conducted, Officers must articulate, in the space provided, what additional specific facts and circumstances existed that created a fear that the person stopped may be armed with a weapon.
2. “Individual/Vehicle Searched” Box: Officers must indicate whether a search was conducted. If a search was conducted, officers must articulate, in the space provided, the probable cause and the exception to the general warrant requirement relied upon, such as, incident to an arrest, weapon recovered from a frisk, consent, etc.
 - a. A “search” of a person includes, but is not limited to, reaching into, under, or around the clothing of individual. It also includes entering into any packages or containers that an individual may have in their possession.
 - b. A “search” of a vehicle involves, but is not limited to, looking or reaching into, under, or behind any part of the vehicle beyond a cursory scan.
 - c. Generally, all searches require a warrant unless they fall within one of the recognized exceptions created by the United States Supreme Court. The recognized exceptions include:
 1. searches conducted incident to a lawful arrest;
 2. searches conducted pursuant to probable cause when exigent circumstances are present;
 3. searches of motor vehicles based upon probable cause.
 4. searches conducted for the purpose of cataloging an individual’s property through an established inventory process; and
 5. searches conducted pursuant to a valid consent.

NOTE: If a search is conducted without a warrant, the officer will record the facts and circumstances and indicate which recognized exception to the warrant requirement was relied upon for the search.

3. “Evidence/Contraband Recovered” Box: Officers must indicate what, if any, evidence/contraband was recovered and from where it was recovered from the person or the vehicle.

E. “MISCELLANEOUS” SECTION

1. The name, payroll number, badge number and district or unit of assignment of the officers preparing the 75-48A Report must be inserted legibly. The supervisor reviewing the 75-48A Report must insert their name, payroll number and district or unit of assignment.
2. **The purpose of the supervisory signature is not to approve of the contents of the individual 75-48A Report, but rather to verify that the report was reviewed.** It is the responsibility of reviewing supervisors to take the necessary actions, such as training, counseling, or discipline when errors or deficiencies are identified.

6. **OPERATIONS ROOM SUPERVISORS (O.R.S.)**

A. The ORS will review each 75-48A submitted and will insert the following information in the appropriate blocks:

1. DC number - insert this number in the block at the top of the 75-48A.
2. Vehicle, Pedestrian, Curfew, or Truant Classification Code - every 75-48A will be coded in accordance with the Philadelphia Police Department’s Incident Classification Manual.

NOTE: ORS will ensure all vehicle investigations wherein the vehicles are impounded according to the Live Stop program are properly coded 2808 Vehicles Impounded per Vehicle Code 6309.2 (Live Stop) (i.e. vs. 2702 Vehicle Investigation.)

3. Type - use premise code as listed in Philadelphia Police Department’s Incident Classification Manual.

4. Day Code: use the correct number for the day of occurrence. Numbers are:

Monday - 1, Tuesday - 2, Wednesday - 3, Thursday - 4, Friday - 5, Saturday - 6, Sunday - 7.

NOTE: Ensure that the information in the INCT is accurate and complete. Enter age, race, Latino (yes or no), sex of person investigated, and payroll number of officer who prepared report. If a two-officer vehicle has conducted the investigation, each payroll number will be entered into the INCT.

- B. The ORS on the 12-8 tour of duty will print up a paper copy of the Transmittal List for the previous 24 hours. They will check all vehicle, pedestrian, curfews, and truant investigations listed on the Transmittal list against 75-48A reports.
- *19 C. Certain information in the “General Section” of the Electronic 75-48A report will be automatically populated. All other information will be inserted by the investigating officer in the appropriate blocks:
- *16 1. In the absence of a squad supervisor, the Operations Room Supervisor shall conduct the supervisory review and entry of outstanding 75-48A reports to ensure all reports are entered into the Electronic 75-48A system within ten (10) calendar days from the date of the report.

NOTE: Investigating Officers will ensure all vehicle investigations wherein the vehicles are impounded according to the Live Stop program are properly coded 2808 Vehicles Impounded per Vehicle Code 6309.2 (Live Stop) (i.e., vs. 2702 Vehicle Investigation.)

7. PATROL SUPERVISORS

- A. Patrol supervisors will review each 75-48A to ensure that all required information is present, legible, and accurate and will sign the 75-48A in the appropriate area.
- B. Patrol supervisors will evaluate the reasonable suspicion and/or probable cause indicated.
- C. Should the supervisor determine that the investigation is not fully supported by reasonable suspicion or probable cause, the supervisor shall take and document whatever corrective action is necessary, such as counseling, re-training, and/or formal discipline, if necessary.
- D. Electronic 75-48A system:
 - *17 1. Within ten (10) calendar days of the report, the platoon sergeant shall review all 75-48A reports generated by officers administratively accountable to the sergeant by platoon assignment only . (e.g., sergeant assigned to 2C shall be responsible to review all 75-48A reports by officers assigned to 2C platoon). All 75-48A reports must be reviewed before the reports can be officially entered into the Electronic 75-48A system.
 - *17 a. In the absence of a sergeant (i.e., vacation, long term sick, IOD, etc) the platoon lieutenant shall conduct the supervisory review and entry of any outstanding 75-48A reports to ensure all reports are entered into the Electronic 75-48A system within ten (10) calendar days from the date of report.

- *17 2. Upon reviewing a 75-48A, if corrections and/or clarifications are needed, supervisors shall electronically send the 75-48A report back to the investigating officer for the necessary actions. While the officer will not be able to change the initial report, they will be able to add any missing information or clarifications into the “Comments” section and re-submit the report back to the supervisor.
- *17 **NOTE:** Upon an audit by the Divisional/Special Unit Inspectors, supervisors should be prepared to explain what actions were taken when the basis of any stop, frisk or search is determined to be missing or insufficient. Such actions can be documented in the supervisory comment box.
- *17 3. Supervisors shall ensure all 75-48A reports sent back to officers are promptly corrected and/or clarified and re-submitted. All 75-48A reports, including those sent back to officers, must still be reviewed and entered by the supervisor into the Electronic 75-48A system within ten (10) calendar days of the initial report.
- *17 4. After ten (10) calendar days, if a 75-48A report is not entered into the Electronic 75-48A system, it will be locked out of the system and included in an exception report to the Commanding Officer indicating the responsible supervisor.
-

8. DISTRICT/UNIT COMMANDING OFFICER

- A. Will ensure that the ORS on the 12x8 tour of duty prints a paper copy of the transmittal list for the previous 24 hours. They will check all vehicle and pedestrian investigations listed on the transmittal against submitted 75-48A reports.
- B. Will verify that each 75-48A is present, accurate, complete, and properly filed.
- C. Will investigate any delinquent reports and ensure that such reports are completed forthwith.
- D. Will ensure that the paper transmittal sheet will be wrapped around the 75-48A reports for that day and marked by date.
- E. Additional supplies of 75-48A reports can be obtained from the Police Warehouse, 660 East Erie Avenue.
- *16/19 F. District/Unit Commanding Officer will ensure that any 75-48A reports originating from their district or special unit are completed, reviewed and properly submitted into the Electronic 75-48A system within ten (10) calendar days from the date of the report.
- NOTE:** Any paper or working copies of 75-48A reports submitted by officers shall be retained for six (6) months from the date of the stop to ensure the accuracy of the data submitted by officers to the actual data entered into the 75-48A system.

- *16/19 G. District/Unit Commanding Officer shall, if necessary, be responsible to review and enter any 75-48A reports to ensure the reports are entered into the Electronic 75-48A system within ten (10) calendar days from the date of the report.
- *17 H. Upon receipt of the Divisional/Special Unit Inspector's 75-48A Audit Report, Commanding Officers shall review the report and take the following actions:
- *17 1. Take the necessary actions to correct any district/unit level errors identified.
- *17 2. Identify the officers and reviewing supervisors of those 75-48A reports determined as lacking sufficient basis for the stop, frisk and/or search and take the necessary actions to prevent such errors from occurring in the future. Such actions shall include additional training, counseling or formal discipline.
- *17 **NOTE:** Commanders must be acutely aware that they are directly accountable for those supervisors and officers whose reports are repeatedly identified as lacking sufficient basis for stops, frisks, and/or searches. Commanders must be prepared to appear before the Federal Court Judge, monitoring the 75-48A settlement agreement, to explain what actions were taken to address these patterns of violations.
- *17 3. Submit a memorandum to the appropriate Inspector detailing the corrective actions taken for any District/Unit level errors identified and the specific actions taken for each officer and supervisor identified (i.e., additional training, counseling or formal discipline). This memorandum shall be returned to the Divisional/Special Unit Inspector no later than ten (10) days from receipt of the Inspector's 75-48A Audit Report.

*13 **9. REPORTING**

A. Division/Special Unit Inspector's Audit

1. On a quarterly basis, Divisional/Special Unit Inspectors shall audit the vehicle and pedestrian stops (75-48A reports) made by members of the Philadelphia Police Department (PPD) under their command. The purpose of this audit is to provide a reasonable assurance that the vehicle and pedestrian stops conducted are in compliance with Directive 12.11, the Fourth Amendment of the United States Constitution, and Article I, Section 8 of the Pennsylvania Constitution.

2. The sample size of the audit shall consist of a sufficient number of 75-48A reports submitted during the previous quarter to provide a confidence level of 95%. The audit sample size and specific reports to be audited shall be automatically generated by the Investigative Stop Audit System (ISAS) and available to the Inspectors, via Investigative Stop Audit System (ISAS), on the first day of a calendar quarter (i.e. January 1, April 1, July 1, and October 1).
3. The audit by the Divisional/Special Unit Inspector shall be completed within twenty (20) calendar days from the receipt of the audit sample from the Investigative Stop Audit System (ISAS). Consequently, the Divisional/Special Unit audits for the previous quarters shall be completed no later than January 20, April 20, July 20, and October 20, respectively each year.
4. During the course of this audit, Inspectors are authorized to conduct interviews and review any external data deemed pertinent and shall submit all findings and conclusions regarding each stop audited in the Investigative Stop Audit System (ISAS).

- *17
5. Divisional/Special Unit Inspector's shall, at the conclusion of each quarterly 75-48A audit, submit a memorandum to each Commanding Officer under their command. This memorandum shall identify any district/unit general errors and any deficiencies in the basis of stops, frisks, and/or searches discovered during the audit. Attached to this memorandum shall be copies of the PDF reports from the Inspector's audit itemizing the total 75-48A reports as follows:
 - a. Rejected
 - b. Not Approved
 - c. Without DC number

- *17
- 1) Upon receipt of the Commanding Officers response memorandum, Divisional/Special Unit Inspector's shall review each memorandum and ensure the actions taken adequately address the errors identified.

- *17
- 2) The Divisional/Special Unit Inspectors 75-48A report to the Commanding Officers and the Commanders response memorandum shall be maintained in the Divisional/Special Unit Inspector's office for one (1) year and be readily available for review by the Court and Independent Monitor in the *Bailey v. City of Philadelphia* – Settlement Agreement.

6. Any racially biased or other discriminatory patterns, trends, or irregularities discovered during the course of the audit, or at any other time, shall be forwarded to the Deputy Commissioner, Office of Professional Responsibility for a full and complete investigation.

- *17 7. Upon the receipt of the Office of Standards and Accountability 75-48A quarterly audit report, the Divisional/Special Unit Inspector shall:
- *17 a. Review and submit a memorandum to the Chief Inspector, Standards and Accountability. This memorandum shall include the direct actions that will be taken to address the percentage of errors/discrepancies relating to (1) basis for stops, (2) frisks, (3) probable cause to search, (4) supervisory review, and (5) the Concurrence Rate. The memorandum shall be returned to the Chief Inspector, via the chain of command, within ten (10) days from the receipt of the 75-48A audit.
- *17 b. Ensure copies of the Office of Standards and Accountability quarterly 75-48A audits are disseminated down to officers. Any specific 75-48A report flagged as incorrect or insufficient by the Office of Standards and Accountability shall be disseminated down to the investigating officer and their direct supervisor to be used as a training tool to ensure similar mistakes do not occur in the future.
- *17 c. For purposes of the Office of Standards and Accountability quarterly 75-48A Audit, the final decisions in determining the appropriateness of any stop, frisk or search shall rest with the Chief Inspector, Standards and Accountability Bureau, in consultation with the Department's legal counsel.
- *14 B. The Office of Standards and Accountability
1. General Responsibilities
- a. Ensure the entire 75-48A system, supervisory review, Inspector's audits and reporting processes are functioning and compliant with this Directive.
- b. Identify deficiencies, anomalies or irregularities in the 75-48A system and recommend corrective action to the Police Commissioner.
- c. Coordinate and document, with the assistance of Legal Counsel, the timely distribution of stop data to the Law Department pursuant to any court orders or settlement agreements.
2. Audits
- a. On a quarterly basis, the Office of Standards and Accountability shall audit a statistical sampling of the quarterly audits conducted by the Divisional/Special Unit Inspectors. The purpose of this audit is to ensure the Divisional/Special Unit Inspectors are properly reviewing and consistently applying the proper legal standards when analyzing the vehicle and pedestrian stops made under their command.

b. The audit sample size and specific reports to be audited shall be automatically generated by the Investigative Stop Audit System (ISAS) and delivered to the Office of Standards and Accountability once the Divisional/Special Unit quarterly audits are completed. The Office of Standards and Accountability shall complete its audits no later than twenty (20) days from receipt of the audit sample from Investigative Stop Audit System (ISAS).

*17 c. The Office of Standards and Accountability shall document the results of its quarterly audit and forward the report to the Police Commissioner, Deputy Commissioners and all Chief Inspectors.

*17 1) Copies of the audit shall be forwarded directly to the Divisional/Special Unit Inspectors. The Office of Standards and Accountability will attach a copy of those 75-48A reports identified as incorrect or insufficient pertinent to each Inspector (i.e., the 75-48A reports will be broken down by district/unit).

*17 2) The Office of Standards and Accountability quarterly 75-48A audit report and the Divisional/Special Unit Inspectors response memorandum shall be maintained at the Office of Standards and Accountability for one (1) year and be readily available for review by the Court and Independent Monitor in the Bailey, et al v. City of Philadelphia – Settlement Agreement.

d. Any racially biased or other discriminatory patterns, trends, or irregularities that are discovered during the course of the audit, that were not otherwise discovered and reported by the Divisional/Special Unit Inspectors, shall be forwarded to the Deputy Commissioner, Office of Professional Responsibility for a full and complete investigation.

C. Annual Report

*16 Consistent with Mayor’s Executive Order 6-11, The Philadelphia Police Department, via the Standards and Accountability Bureau, shall prepare and issue an annual report regarding the vehicle and pedestrian stops and the subsequent audits of the stops. This report shall be submitted to the Police Commissioner for the preceding year by April 15th each year.

BY COMMAND OF THE POLICE COMMISSIONER



APPENDIX "C"

Issued Date: 10-10-11	Effective Date: 10-10-11	Updated Date:
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SUBJECT: RETAIL THEFT APPREHENSION FORM (75-635)

1. POLICY

- A. In an effort to reduce arrest processing time and out of service time for Police personnel, the attached Retail Theft Apprehension Form (75-635) will be used by Patrol personnel on all Retail Theft arrests.
 - B. Patrol Commanding Officers will ensure that all personnel are issued the form. Completed forms **WILL** be given to the Detective Division by the responding Police Officer (at the same time the prisoner is transported to Divisional Headquarters).
-

2. PROCEDURE

A. **INSTRUCTIONS - for completion of form:**

- 1. Responding Officer will ensure that the Retail Theft Apprehension Form is completed in **pen (EVERY BLOCK)** and is **legible**. If additional space is required to complete the form the REVERSE side will be used. Additional forms will be used for each co-defendant.
- 2. Any **injuries incurred** by the Store Employee/Witness and/or defendant during the arrest, will be described in the 'Describe Exactly What You Observed' block. List the injury and **how it was received**.
- 3. **If any force was used by OR against the Employee/Witness to affect the arrest OR any injuries were incurred by the defendant AND/OR the Employee/Witness the responding Police Officer MUST contact the Detective Division by phone from the scene.** They will supply the Detectives with the arrest information and Detectives will decide if the Retail Theft will be upgraded to a Robbery. **If Robbery is to be charged the Employee/Witness WILL be required to go to the Detective Division for a statement.** If the charges are to remain as a Retail Theft then the employee/witness is **NOT** required to go to the Detective Division as long as the Apprehension Form is completed and signed by the employee/witness.

4. The Detective Division will ensure that the completed Retail Theft Apprehension Form (BOTH sides) is scanned into the PIIN system immediately. This is required by DACU so they have the information needed to approve charges in PARS.

BY COMMAND OF THE POLICE COMMISSIONER



APPENDIX "D"

Issued Date: 10-10-11	Effective Date: 10-10-11	Updated Date:
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SUBJECT: OWNERSHIP & NON-PERMISSION INTERVIEW SHEET (75-636)

1. POLICY

- A. In order to strengthen the prosecution of Property Crime arrests at the time of the Preliminary Hearing, the attached interview sheet **WILL** be completed.
 - B. Detective Division personnel will complete the Ownership and Non-Permission Sheet (75-636) as outlined in this Appendix.
-

2. PROCEDURE

- A. The Interview sheet **WILL** be prepared (in pen) for **ALL Property Crime Arrests** by the Assigned Detective **OR** the Arresting Officer (as requested by the assigned Detective). The Interview with the owner/possessor can be done **by phone** and does **NOT** have to be in person.

EXCEPTION: The only exception to a phone interview will be an arrest involving a recovered stolen firearm. This interview will be done by the Assigned Detective and should be in-person.

- B. Whoever completes the interview sheet **MUST** be the same person who signs the sheet (on the 'Preparing Detective/Officer' line).
 - 1. A Detective Supervisor will review and sign the completed interview sheet.
 - 2. The completed sheet **MUST be scanned into PIIN** and be included in the **Preliminary Discovery** for the DA to approve the arrest in PARS.
-

3. ILLUSTRATION

OWNERSHIP & NON-PERMISSION INTERVIEW SHEET

Yr/Dist/DC# _____

1) Name of Complainant _____

What was Taken/Entered/Damaged/Used(circle one)

Description

House/Building/Property	Address: _____ _____ Apt# _____ Residential / Business (circle one)
Car/Motorcycle	Make/Model/Year: _____ Tag/VIN: _____
Gun	Make/Model: _____ Serial #: _____
Credit/ATM Cards	Issuing Authority: _____ Card #: _____
Checks	Bank: _____ Account #: _____ Was Anybody else an authorized user: YES / NO If yes Who/Relationship: _____
Other	Describe: _____ _____

2) Is complainant the legal owner of property/item: YES / NO

a) If No, who is (include relationship): _____

3) Property was last seen:

a) Date: _____ Time: _____ Location: _____

4) What condition was the property in when last seen by owner/possessor:

a) If house or car, were they left locked: YES / NO

5) Damages to property when recovered (*include damages to doors/ignition*):

a) Estimate on damages: _____

6) What was taken from the House/Car/Other: _____

a) Total Value: _____

7) List Defendant(s): Name, Race/Sex, age and PPN (if known): _____

8) Does the complainant know the defendant(s): YES / NO

a) If Yes, what is the nature of relationship: _____

9) Did the defendant have permission to take/use/enter property/card/check: YES / NO

10) Will the complainant come to court should the case go to trial: YES / NO

Preparing Det/Officer _____ Badge/Payroll _____

Reviewing Det. Supervisor _____ Badge/Payroll _____

BY COMMAND OF THE POLICE COMMISSIONER
