

## Grant Application Package

Opportunity Title:	BJA FY 12 Protecting Public Health, Safety and the Econ
Offering Agency:	Bureau of Justice Assistance
CFDA Number:	16.752
CFDA Description:	Economic High-Tech and Cyber Crime Prevention
Opportunity Number:	BJA-2012-3119
Competition ID:	
Opportunity Open Date:	01/03/2012
Opportunity Close Date:	03/02/2012
Agency Contact:	For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 11248771249271245657, via e-mail to JIC@telesishq.com, or via live web chat at www.justiceinformationcenter.us. The BJA Justice Information Center hours of operation are 8-30 a.m. to

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here.

If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application, and then apply.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

\* Application Filing Name:

## Mandatory Documents

Assurances for Non-Construction Programs (SF-42)  
Budget Narrative Attachment Form  
Other Attachments Form  
Project Narrative Attachment Form

Move Form to  
Complete

Move Form to  
Delete

## Mandatory Documents for Submission

Application for Federal Assistance (SF-424)  
Disclosure of Lobbying Activities (SF-LLL)

## Optional Documents

Faith Based EEO Survey

Move Form to  
Submission List

Move Form to  
Delete

## Optional Documents for Submission

## Instructions

- 1 Enter a name for the application in the Application Filing Name field.
  - This application can be completed in its entirety offline; however, you will need to login to the Grants.gov website during the submission process.
  - You can save your application at any time by clicking the "Save" button at the top of your screen.
  - The "Save & Submit" button will not be functional until all required data fields in the application are completed and you clicked on the "Check Package for Errors" button and confirmed all data required data fields are completed.
- 2 Open and complete all of the documents listed in the "Mandatory Documents" box. Complete the SF-424 form first.
  - It is recommended that the SF-424 form be the first form completed for the application package. Data entered on the SF-424 will populate data fields in other mandatory and optional forms and the user cannot enter data in these fields.
  - The forms listed in the "Mandatory Documents" box and "Optional Documents" may be predefined forms, such as SF-424, forms where a document needs to be attached, such as the Project Narrative or a combination of both. "Mandatory Documents" are required for this application. "Optional Documents" can be used to provide additional support for this application or may be required for specific types of grant activity. Reference the application package instructions for more information regarding "Optional Documents".
  - To open and complete a form, simply click on the form's name to select the item and then click on the => button. This will move the document to the appropriate "Documents for Submission" box and the form will be automatically added to your application package. To view the form, scroll down the screen or select the form name and click on the "Open Form" button to begin completing the required data fields. To remove a form/document from the "Documents for Submission" box, click the document name to select it, and then click the <= button. This will return the form/document to the "Mandatory Documents" or "Optional Documents" box.
  - All documents listed in the "Mandatory Documents" box must be moved to the "Mandatory Documents for Submission" box. When you open a required form, the fields which must be completed are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message.
- 3 Click the "Save & Submit" button to submit your application to Grants.gov.
  - Once you have properly completed all required documents and attached any required or optional documentation, save the completed application by clicking on the "Save" button.
  - Click on the "Check Package for Errors" button to ensure that you have completed all required data fields. Correct any errors or if none are found, save the application package.
  - The "Save & Submit" button will become active; click on the "Save & Submit" button to begin the application submission process.
  - You will be taken to the applicant login page to enter your Grants.gov username and password. Follow all onscreen instructions for submission.

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OMB Number: 4040-0004  
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424		Version 02	
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	<b>* If Revision, select appropriate letter(s):</b> <input type="text"/> <b>* Other (Specify)</b> <input type="text"/>
<b>* 3. Date Received:</b> Completed by Grants.gov upon submission.		<b>4. Applicant Identifier:</b> OR02602	
<b>5a. Federal Entity Identifier:</b> <input type="text"/>		<b>* 5b. Federal Award Identifier:</b> <input type="text"/>	
<b>State Use Only:</b>			
<b>6. Date Received by State:</b> <input type="text"/>		<b>7. State Application Identifier:</b> <input type="text"/>	
<b>8. APPLICANT INFORMATION:</b>			
<b>* a. Legal Name:</b> City of Portland, Oregon			
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> 936002236.		<b>* c. Organizational DUNS:</b> 054971197	
<b>d. Address:</b>			
<b>* Street1:</b> 1120 SW 5th Ave., Room 1250			
<b>Street2:</b> <input type="text"/>			
<b>* City:</b> Portland			
<b>County:</b> Multnomah			
<b>* State:</b> <input type="text"/> OR: Oregon			
<b>Province:</b> <input type="text"/>			
<b>* Country:</b> <input type="text"/> USA: UNITED STATES			
<b>* Zip / Postal Code:</b> 97204			
<b>e. Organizational Unit:</b>			
<b>Department Name:</b> Police Bureau		<b>Division Name:</b> Detective Division	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>			
<b>Prefix:</b> <input type="text"/>		<b>* First Name:</b> DeeDee	
<b>Middle Name:</b> <input type="text"/>			
<b>* Last Name:</b> Baldwin			
<b>Suffix:</b> <input type="text"/>			
<b>Title:</b> Financial Analyst			
<b>Organizational Affiliation:</b> <input type="text"/>			
<b>* Telephone Number:</b> 503-823-5512		<b>Fax Number:</b> <input type="text"/>	
<b>* Email:</b> deede.baldwin@portland.oregon			

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OMB Number: 4040-0004  
Expiration Date: 01/31/2009

## Application for Federal Assistance SF-424

Version 02

## 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

## Type of Applicant 2: Select Applicant Type:

## Type of Applicant 3: Select Applicant Type:

\* Other (specify):

## \* 10. Name of Federal Agency:

Bureau of Justice Assistance

## 11. Catalog of Federal Domestic Assistance Number:

16.752

## CFDA Title:

Economic High-Tech and Cyber Crime Prevention

## \* 12. Funding Opportunity Number:

BJA-2012-3119

## \* Title:

BJA FY 12 Protecting Public Health, Safety and the Economy from Counterfeit Goods and Product Piracy: The Intellectual Property Theft Enforcement Program

## 13. Competition Identification Number:

## Title:

## 14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Portland; Counties of Multnomah, Washington and Clackamas; State of Oregon

## \* 15. Descriptive Title of Applicant's Project:

City of Portland, Oregon Police Bureau Intellectual Property Crime Enforcement Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

<b>Application for Federal Assistance SF-424</b>		Version 02
<b>16. Congressional Districts Of:</b>		
* a. Applicant	1, 3, 5	* b. Program/Project
1, 3, 5		
Attach an additional list of Program/Project Congressional Districts if needed.		
<div style="border: 1px solid black; width: 200px; height: 20px; display: inline-block;"></div> <span style="border: 1px solid black; padding: 2px 5px;">Add Attachment</span> <span style="border: 1px solid black; padding: 2px 5px;">Delete Attachment</span> <span style="border: 1px solid black; padding: 2px 5px;">View Attachment</span>		
<b>17. Proposed Project:</b>		
* a. Start Date:	10/1/2012	* b. End Date:
9/30/2013		
<b>18. Estimated Funding (\$):</b>		
* a. Federal	211,532.00	
* b. Applicant	0.00	
* c. State	0.00	
* d. Local	0.00	
* e. Other	0.00	
* f. Program Income	0.00	
* g. TOTAL	211,532.00	
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span>		
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.		
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)</b>		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="border: 1px solid black; padding: 2px 20px;">Explanation</span>		
<b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)</b>		
<input checked="" type="checkbox"/> ** I AGREE		
** The list of certifications and assurances, or an Internet site where you may obtain this list, is contained in the announcement or agency specific instructions.		
<b>Authorized Representative:</b>		
Prefix:		First Name: Sam
Middle Name:		
* Last Name:	Adams	
Suffix:		
* Title:	Mayor	
* Telephone Number:	503-823-4120	Fax Number:
* Email:	mayorsam@portlandoregon.gov	
* Signature of Authorized Representative: <span style="border: 1px solid black; padding: 2px;">Completed by Grants.gov upon submission.</span> * Date Signed: <span style="border: 1px solid black; padding: 2px;">Completed by Grants.gov upon submission.</span>		

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Expiration Date: 01/31/2009

**Application for Federal Assistance SF-424**

**Version 02**

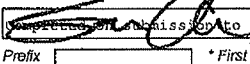
**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB  
0348-0046

<b>1. * Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. * Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. * Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: <input type="text" value="City of Portland"/> * Street 1: <input type="text" value="1120 SW 5th Ave., Room 1250"/> Street 2: <input type="text"/> * City: <input type="text" value="Portland"/> State: <input type="text" value="OR: Oregon"/> Zip: <input type="text" value="97204"/> Congressional District, if known: <input type="text" value="1,3,5"/>		
<b>5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:</b>   		
<b>6. * Federal Department/Agency:</b> <input type="text" value="USDOJ OJP BJA"/>	<b>7. * Federal Program Name/Description:</b> <input type="text" value="Economic High-Tech and Cyber Crime Prevention"/> CFDA Number, if applicable: <input type="text" value="16.752"/>	
<b>8. Federal Action Number, if known:</b> <input type="text"/>	<b>9. Award Amount, if known:</b> \$ <input type="text"/>	
<b>10. a. Name and Address of Lobbying Registrant:</b> Prefix <input type="text"/> * First Name <input type="text"/> Middle Name <input type="text"/> * Last Name <input type="text"/> Suffix <input type="text"/> * Street 1 <input type="text"/> Street 2 <input type="text"/> * City <input type="text"/> State <input type="text"/> Zip <input type="text"/>		
<b>b. Individual Performing Services</b> (including address if different from No. 10a) Prefix <input type="text"/> * First Name <input type="text"/> Middle Name <input type="text"/> * Last Name <input type="text"/> Suffix <input type="text"/> * Street 1 <input type="text"/> Street 2 <input type="text"/> * City <input type="text"/> State <input type="text"/> Zip <input type="text"/>		
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.  * Signature:  <input type="text" value="Completed on submission to Grants.gov"/> * Name: Prefix <input type="text"/> * First Name <input type="text" value="Sam"/> Middle Name <input type="text"/> * Last Name <input type="text" value="Adams"/> Suffix <input type="text"/> Title: <input type="text" value="Mayor"/> Telephone No.: <input type="text" value="503-823-4120"/> Date: <input type="text" value="Completed on submission to Grants.gov"/>		
Federal Use Only		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

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U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
City of Portland, Oregon Police Bureau  
Program Abstract  
Application Attachment 1

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Applicant name: City of Portland, Oregon, Police Bureau  
Project title: Intellectual Property Crime Enforcement Grant  
Monetary request: \$211,532

**Project goals:** 1) Identify, investigate and prosecute individuals and or/criminal organizations violating the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (PROIP) and Oregon State Statutes Chapter 647 throughout the Portland-Metropolitan Area; 2) Work to interrupt criminal violations of Intellectual Property Crime (IPC) laws through public and law enforcement education; and 3) Continue to collaborate and expand working relationships with partnered federal and local law enforcement agencies on IPC cases.

**Strategies:** 1) Investigate IPC laws with IPC partners - FBI, DHS, U.S. Secret Service, Tigard, Oregon Commercial Crimes Unit, brand owners and internet auction site providers; 2) Identify online websites and brick and mortar locations that sell counterfeit products; and 3) Complete investigations of sites, to include surveillance, controlled buys, search warrants, evidence seizures, arrest and prosecution.

**Deliverables:** Program performance measures will be reported semi-annually to the federal grant manager.

**Coordination plans:** 1) Continue to host monthly informational-sharing meetings for federal, state and local agency partners working IPC in the Portland Metropolitan Area for information sharing, enforcement strategies, deconfliction and best practices; and 2) Continue to fund a 0.5 FTE Multnomah County Deputy District Attorney (DDA) to assist in investigations, warrant preparation, legal advice and prosecution of IPC offenders per Oregon Revised Statutes Chapter 647.

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
City of Portland, Oregon Police Bureau  
Program Narrative  
Application Attachment 2

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### **Statement of the Problem**

According to the National Intellectual Property Rights Coordination Center's 2011 report on *Threats to United States Interests at Home and Abroad* "the continuing development and protection of Intellectual Property (IP) is of critical importance to the United States. The monetary value to United States rights holders' IP is estimated to be in the hundreds of billions to trillions of dollars." Protecting the valuable resources of American Intellectual Property rights has become one of the highest priorities of the Executive Branch of our government. As noted by President Barack Obama, "Our single greatest asset is the innovation and the ingenuity and creativity of the American people. It is essential to our prosperity and it will only become more so in this century."

Portland, Oregon was ranked the 29th most populous city in the United States with the greater Portland-Metropolitan Area population at 2.26 million people according to the 2010 U.S. Census. The Portland Police Bureau (PPB) is the largest law enforcement agency in Oregon with over 900 sworn officers and has law enforcement jurisdiction over the entire state of Oregon. The bureau's Detective Division houses the White Collar Crime Detail (WCCD), which is tasked with the investigation of financial crimes is comprised of a supervisory sergeant, six detectives and one computer forensic examiner. In October 2011, the bureau was awarded one of 13 Intellectual Property Crime Enforcement Program (IPCEP) grants from the Bureau of Justice Assistance.



U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
City of Portland, Oregon Police Bureau  
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It became apparent in the first four months of the FY 2011 IPCEP grant that the size and scope of Portland's problem is larger than first realized. On any given day anyone may search for "replica," "fake" or "knock-off" along with any brand name and find eight to 10 postings on Craigslist. For this reason the WCCD's Intellectual Property Crime Enforcement Program Team (IPCET) decided to focus its investigative efforts on internet auction sites. The team searches internet websites for IPC targets and contacts sellers through phone, text and email to set up undercover buys.

The anonymity of the internet facilitates deception of the offered products and threatens the health and safety of consumers with unregulated and unsafe counterfeit products. New technologies allow counterfeiters to produce infringing products that so closely resemble the legitimate products consumers often unknowingly purchase the items. Counterfeiters reach customers through internet auction sites like Craigslist and iOffer and by creating their own web pages on hosting sites such as Yahoo! and GoDaddy.

Two recent IP investigations involved suspects using the internet to sell counterfeit electronic products.

The first involved a Naturalized U.S. citizen who used two eBay storefronts. The suspect ignored "cease and desist" orders from Sony. Sony contacted the bureau for prosecution. An IPCET detective obtained a search warrant for the suspect's residence. Over 400 batteries from three different brand owners and other counterfeit electronic equipment items were seized. The suspect admitted to purchasing the counterfeit batteries from a Chinese website. Packaging for

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
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Application Attachment 2

the counterfeit batteries included cardboard inserts with the Sony name and logo giving the counterfeit product an authentic appearance. The suspect's PayPal transactions revealed he netted over \$300,000 in sales in three years. The suspect was convicted, put on probation, sentenced to 60 days jail, fined \$50,000 and the remaining PayPal funds seized.

In December 2011, IPCET detectives noticed an unusually high number of postings for Monster, Inc. Dr. Dre Headphones. A detective contacted the Monster, Inc. brand protection firm and they confirmed the posted products were counterfeit. Two undercover buys were made and the suspect was arrested. The IPCET Deputy District Attorney (DDA) issued criminal charges and case is pending trial. The suspect admitted to knowing the headphones were counterfeit and still purchased three sets from the internet auction site iOffer. The suspect added he was told about the website by his tennis instructor. An investigation of the tennis instructor revealed he had also been selling counterfeit Monster, Inc headphones and Babolat tennis racquets on Craigslist. The second suspect's case is pending.

Current department practice utilizes three sworn personnel to conduct an undercover buy. One person makes the buy, one person acts as a cover officer and the third person acts as a look-out to broadcast over emergency radio nets when and if additional officers are needed. The IPCET relies on district street officers when a third WCCD Detective is not available.

The bureau is facing a four to eight percent budget reduction for Fiscal Year 2012. At a minimum, 36 police officers will be laid off. Such a reduction in force will increase the call load for district street officers. They will no longer be able to assist the IPCET. The awarding of grant-provided overtime funds will allow for continued IPC investigations.

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The Portland Police Bureau recognizes the important economic ramifications IPC has on the United States as a whole and is eager to continue building on the partnerships developed to create a synergistic enforcement effort against this threat to the American economy.

**Project Design and Implementation**

The Portland Police Bureau's White Collar Crime Detail has developed longstanding collaborative relationships with local law enforcement agencies, the Federal Bureau of Investigation (FBI), the Internal Revenue Service (IRS), the Department of Homeland Security (DHS), the Social Security Administration (SSA), the U.S. Postal Inspector, the Tigard Police Department Commercial Crimes Unit (CCU) and local brand representatives in the development of the Intellectual Property Crime Enforcement Program Team (IPCET).

The Tigard, Oregon Police Department created a separate enforcement entity focusing on Organized Retail Crime (ORC) and IPC. The IPCET detectives identified ORC targets and referred them to Tigard's CCU for prosecution. In turn, Tigard's detectives referred IPC suspects to IPCET detectives for prosecution.

Community education is a critical component to combating IPC crimes. A recent example of education provided by IPCET Detectives stemmed from an internet undercover purchase. The IPCET detectives learned from a suspect that the suspect had purchased a counterfeit purse at a local Goodwill outlet for \$50. The IPCET detectives confiscated the purse and provided the suspect literature about Oregon State Trademark Statutes. The detectives then traveled to a local Goodwill store, spoke with the store manager and volunteered to train all the

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store managers in the Portland-Metropolitan Area. The detectives and the 0.5 FTE Multnomah County Deputy District Attorney (DDA) spoke to Goodwill's legal counsel and 25 store managers about Intellectual Property Rights. In the process IPECT halted a peripheral source of counterfeit products. The IPCET will continue to identify and utilize innovative education opportunities whenever and wherever they present themselves during the current and future IP enforcement activities.

With over 600 different categories of infringing products confiscated by law enforcement officials in the United States, the enforcement of IP crime may be complicated. Consistent and up-to-date training is critical to the success of the IPCET. Future grant funding will allow the IPCET supervisory sergeant, the detectives and the DDA to attend the International Anti-Counterfeiting Coalition Conference in San Diego, California. An additional training will be determined at a later date. Due to the vast and varying amount of trademarked IP products coupled with the ever increasing sophistication of manufacturing and distribution, attendance at multiple trainings will allow for a higher level of proficiency.

The IPCET will continue to utilize the laptop computers purchased with 2011 grant funds. The IPCET has also identified the need for undercover cell phones with text capability. Grant funds will be used to purchase three Smart phones on a pay-as-you-go basis. The phones will be rotated among the detectives ensuring no single phone number is identified with law enforcement.

The Police Bureau requests Confidential Fund (P/E) monies for purchase of evidence and/or contraband, which may be the higher priced IP merchandise found in more sophisticated

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cases particularly those involving software copyright, electronic trademark cases and those involving health and safety products such as pharmaceuticals and so forth, required to determine the existence of a crime or to establish the identity of a participant in a crime.

The bureau contributed \$2,000 in evidence funds for undercover buys during the current grant period but is unable to guarantee continued availability in the next budget cycle. Because the IPCET plans to identify and investigate approximately 60 cases during the 2012 grant period, secure and designated buy money will add in the acquisition of counterfeit goods. Sergeant Vic Dody, the grant project manager, signed the Confidential Funds Certification form. The bureau has a Directive in place regarding Evidence Funds Use. The Certification form and the Directive are in Grant Application Attachment #4.

The IPCET will continue to host a Monthly Intelligence Information Exchange (MIIE), which focuses on investigations, on-going prosecutions and best practices. The MIIE includes brand representative experts to provide ongoing training and topical information on counterfeiting trends. Additionally, the MIIE will use the Regional Information Sharing Systems program (RISS) as well as the Oregon State Intelligence Network (OSIN), the Financial Crimes Enforcement Network (FINCEN) and the Narcotics and Dangerous Drugs Information System (NADDIS) for deconfliction.

Public education will be expanded by targeting school-aged populations. The IPCET will educate PPB School Resource Officers (SRO's), who will develop ways to educate kids about the economic harm, as well as health and safety risks, in purchasing counterfeit and pirated items.

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Intellectual Property investigations will occur during the IPCET detectives' regular or straight-time work hours. The bureau anticipates the three IPCET detectives will work on IPC cases for approximately 10 - 15 straight time hours and 10 overtime hours each week. The requested 2012 grant funding for overtime funding will be directly tied to IP cases and authorized by the supervising sergeant.

The continuation of the IPCET would not be successful without the availability of a dedicated DDA to handle IPC prosecutions. In the past four years, Multnomah County, Oregon has suffered more layoffs than Portland. Recovery Act funding, which allowed for retaining deputy district attorneys has ended. The bureau's 2012 grant proposal funds a 0.5 FTE DDA Level III for 12 months. The Level III designation ensures a higher level of expertise in prosecutions. The DDA will continue as prosecuting attorney of IPC cases, thereby retaining her valuable experience and training on Oregon criminal laws relating to trademark, counterfeiting and piracy.

### **Capabilities and Competencies**

The IPCET's proposed program implementation will allow for the success of their goals and objectives.

#### *Goals and Objectives*

**Goal 1:** The PPB IPCET will identify and investigate 60 IPC cases in the Portland-Metropolitan Area.

**Objective 1:** The IPCET detectives will surf internet auction websites such as Yahoo!, Craigslist and eBay to identify possible subjects trafficking in IPC products.

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**Objective 2:** The IPCET detectives will conduct controlled buys of suspected IPC products found in stores, flea markets and online.

**Objective 3:** The IPCET detectives will follow through on all cases stemming from controlled buys, investigations or tips by making arrests and preparing the cases for prosecution.

**Objective 4:** The IPCET detectives will continue to work with MIIE partners.

**Objective 5:** IPCET will identify IPC cases, which stem from ORC or gang affiliation and work partner's to investigate and prosecute IPC crimes.

**Objective 6:** IPCET will follow up leads provided by the private sector partners.

**Goal 2:** The IPCET will share information with federal and local law enforcement agencies to ensure deconfliction of cases.

**Objective 1:** IPCET will ensure deconfliction by using RISS and all other law enforcement databases currently available to bureau members.

**Goal 3:** Fund a 0.5 FTE Deputy District Attorney.

**Objective 1:** Multnomah County will continue to fund a 0.5 FTE Deputy District Attorney Level III for 12-months to work on IPC cases. This will ensure review and prosecution of IPC cases.

**Objective 2:** Attend specialized IPC training as a member of the IPCET.

**Goal 4:** Continue specialized IPC training for IPCET members.

**Objective 1:** The WCCD sergeant will send the IPCET members to the annual International Anti-Counterfeiting Coalition Conference in San Diego, CA.

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**Objective 2:** The IPCET will continue to update web links as new public service videos and sites are created to keep the topic current on the bureau's public website to help citizens identify counterfeit product and to better understand applicable issues related counterfeit products.

**Objective 3:** The IPCET detectives will also continue education with patrol officers by attending bureau Roll Calls and community meetings. Specifically it will reach out to educate PPB School resource officers (SRO) who are assigned to school clusters to expand educational efforts by targeting school aged populations.

**Performance Measures**

The WCCD sergeant will collect and track all data related to the IPCET's program work. The data will include the number of offenders arrested, the number of local intellectual property-related search warrants and the number of intellectual property-related tips/leads received and other performance measures as requested by the Bureau of Justice Assistance.

As described in Chapter 647 of the Oregon Revised Statutes the PPB, as a law enforcement agency in the State of Oregon, is authorized to investigate crimes relating to IPC and arrest perpetrators involved in such crimes. The WCCD sergeant is designated as the grant program manager for the grant period. The sergeant will be responsible for grant reporting and the IPCET detectives will be responsible for IPC investigations. The current WCCD sergeant has 19 years as a sworn PPB member and nine years as a supervisory sergeant. The current WCCD detectives have a combined 35 years of sworn law enforcement experience; 20 years investigatory experience. The IPCET will be under the direction of the Property Crimes Lieutenant and the Detective Division Commander.



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The Detective Division has been awarded four grants: The BJA FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; the National Institute of Justice (NIJ) FY10 "Solving Cold Cases with DNA;" the Office of Community Oriented Policing Services FY10 Child Sexual Predator program; and the BJA FY 2011 IPCEP.

The City's Office of Management and Finance will complete online Quarterly Financial Status Reports on behalf of the bureau. All performance measure data will be kept for a minimum of three years after the close of the grant period as required by the Office of Justice Programs 2011 Financial Guide.

### **Performance, Evaluation, Sustainability**

#### *Impact & Outcomes and Evaluation*

The WCCD sergeant will evaluate the IPCET's work product focusing on arrests, property seized and search warrants. This information will direct future IPCET activities.

#### *Plan for Collecting Data for Performance Measures*

A unique code was assigned to designate trademark counterfeit cases in the bureau's case management system (PPDS). All IPC reports utilize this code to ensure accurate reporting within PPB and to the grantor.

#### *Sustainability*

The IPCET's acquired knowledge and training has been incorporated into the Detective Division training materials. IPCET detectives will continue the momentum of education by reaching out to community groups and businesses. IPCET will continue MIIE meetings for information sharing and deconfliction of IPC cases.

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**Budget Detail****A. Personnel: \$109,155.14**

<u>Position</u>	<u>Computation</u>	<u>Cost</u>
Supervising Detective Sergeant - Overtime rate for 12-month program		
\$43.38/hour x 1.5 = \$65.07/hour	\$65.07/hr x 162.8145 hours	\$10,594.34
Detectives -		
Three detectives working 520 OT hours each for 12-month program		
\$42.12/hour x 1.5 = \$63.18/hour	\$63.18/hr x 1,560 hours	98,560.80

**B. Fringe Benefits: \$ 1,582.75**

Fringe benefits on overtime hours are limited to FICA, Workman's Compensation and Unemployment Compensation.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Medicare	0.0145 x 109,155.14	\$ 1,582.75

The City is a self-insured employer.

**C. Travel: \$ 11,660.00**

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
International Anti-Counterfeiting	Airfare - 5 tickets x \$500 each	\$2,500
Coalition Conference	Lodging - 5 x 3 days x \$133/day	1,995
San Diego, CA	Per diem - 5 x 3 days x \$71/day	1,065
Five Detail members	Rental car - 3 days x \$90/day	270
		<u>5,830</u>
One additional out-of-town training	Airfare - 5 tickets x \$500	2,500
To be determined	Lodging 5 x 3 days x \$133/day	1,995
Five Detail members	Per diem - 5 x 3 days x \$71/day	1,065
	Rental car - 3 days x \$90/day	270
		<u>5,830</u>

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**D. Equipment:** \$ 0.00

**E. Supplies:** \$ 0.00

**F. Construction:** Not applicable \$ 0.00

**G. Consultants/Contracts:** \$ 77,025.00

Inter-governmental agreement with Multnomah County for 0.5 FTE DDA

<u>Position</u>	<u>Computation</u>	<u>Cost</u>
0.5 FTE Deputy District Attorney Level III Salaried position for 12-month program	\$48.04/hour x 1,040 hours	\$49,961.60
Fringe and Benefits	0.5 of base salary = \$49,962	
FICA	7.65% x 49,962	\$ 3,822.06
PERS (Retirement)	15.86% x 49,962	7,923.91
PERS Bond Surcharge	6.50% x 49,962	3,247.50
Worker's Compensation	1.25% x 49,962	624.53
Liability Insurance	2.50% x 49,962	1,249.04
Unemployment Insurance	0.60% x 49,962	299.77
Health/Benefits Admin	0.90% x 49,962	449.65
Retiree Medical	2.00% x 49,962	999.23
LTD/STD/Life Insurance	0.75% x 49,962	374.71
Health & Dental Insurance*		<u>8,073.00</u>
		27,063.40

\*County's Budget Manual for 0.5 FTE employees, composite rate.

**H. Other Costs:** \$ 12,109.00

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
IACC Conference – TBD	Tuition – 5 x \$500 each	\$2,500.00
Five Detail members		

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Additional training – TBD Five Detail members	Tuition – 5 x \$500 each	2,500.00
Confidential Funds (P/E)*	60 cases x \$96.73 each	5,804.00
Pay-as-you-go phones for undercover work	3 phones x \$75 each	225.00
Wireless phone service	3 phones x 12 months x \$30/month	1,080.00

\*OJP Financial Guide 2011: Confidential Funds – Purchase of Evidence (P/E) This category is for purchase of evidence and/or contraband, such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, and so forth, required to determine the existence of a crime or to establish the identity of a participant in a crime.

**I. Indirect Costs:** \$ 0.00

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**Budget Summary**

<u>Budget Category</u>	<u>Amount</u>
A. Personnel Costs:	\$109,155
B. Fringe Benefits:	\$ 1,583
C. Travel:	\$ 11,660
D. Equipment:	- 0 -
E. Supplies:	- 0 -
F. Construction:	- 0 -
G. Consultants/Contracts:	\$ 77,025
H. Other Costs:	\$ 12,109
<b>Total Project Costs:</b>	<b>\$211,532</b>
<b>Federal Request:</b>	<b>\$211,532</b>
<b>Non-Federal Amount:</b>	<b>- 0 -</b>

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**Budget Narrative**

Section A: Personnel (\$109,155) This expense will allow the Portland Police Bureau to pay overtime for a Supervising Detective Sergeant and White Collar Crime Detail Detectives to continue to expand and work the Intellectual Property Crime program for twelve more months. The Detail will conduct undercover work both on the internet and in the field, educate business and community groups and work with law enforcement personnel with a focus on School Resource Officers to develop ways to educate school age children about counterfeit and piracy issues. Due to projected FY 2012-13 City of Portland budget reductions resulting in the loss of 56 sworn positions WCCD detectives' total case load will be increased, consequently reducing the number of straight-time hours available for the additional work load of IPC investigations. Overtime funding will ensure the continuation of the IPCET program of enforcement and education of Intellectual Property Crime Rights.

Section B: Fringe Benefits (\$1,583) This expense reflects the employees' fringe benefits reimbursable by the grant. Fringe benefits on overtime hours are limited to FICA, Worker's Compensation and Unemployment Compensation. As the City of Portland is a reimbursing, or self-paying employer, only Medicare is eligible for overtime reimbursement per the Portland Police Association (PPA) labor contract.

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Section C: Travel (\$11,660) This expense will allow for two projected trips for training and/or conferences. With over 600 different categories of infringing products confiscated by law enforcement officials in the United States, the enforcement of IP crime can be complicated. Grant funding will allow IPCET members to attend the most up-to-date training and learn of current trends and best practices utilized by other IPC partners, the FBI and the Department of Homeland Security. The travel budget allows for five people: A supervising sergeant, three detectives and the assigned Deputy District Attorney (DDA) to attend two trainings; the International Anti-Counterfeiting Coalition Conference (San Diego, CA) and the second to be determined later. The travel estimates are based on costs using the Government Services Administrative (GSA) travel guidelines, <http://www.gsa.gov>. Due to the vast and varying amount of trademarked IP products coupled with the ever increasing sophistication of manufacturing and distribution, attendance at multiple trainings will allow for a higher level of proficiency.

Section D: Equipment (\$ -0-) There are no equipment expenses associated with this grant request.

Section E: Supplies (\$ -0-) There are no supplies expenses associated with this grant request.

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Section F: Construction (\$ -0-) There is no construction expenses associated with this grant request.

Section G: Consultants/Contracts (\$77,025) This expense provides for the continued funding of the 0.5 FTE Deputy District Attorney III for the 12-month grant program. The current Deputy District Attorney (DDA) assigned to the IPCET did not have prior experience in prosecuting IPC cases. With FY 2011 grant-funded training and expanded case prosecution the DDA has become the regional prosecutorial expert in IP cases for the State of Oregon. An intergovernmental agreement with Multnomah County will be put in place authorizing funding and defining fiscal responsibilities between the City of Portland, Oregon Police Bureau and the Multnomah County District Attorney's Office. Historically the Multnomah County District Attorney's Office has not prosecuted IP cases in any great number due to staffing shortages suffered over multiple budget cycles. The continued funding requested in this grant proposal will allow the Multnomah County District Attorney's Office to fund the 0.5 FTE dedicated position.

Section H: Other Costs (\$12,109) This expense provides for conference/tuition fees associated with the two travel/training opportunities the five member IPC Detail will attend during the grant period.

The Portland Police Bureau requests Confidential Fund (P/E) monies for purchase of evidence and/or contraband, which may be the higher priced IP merchandise found in more



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sophisticated cases particularly those involving software copyright, electronic trademark cases and those involving health and safety products such as pharmaceuticals and so forth, required to determine the existence of a crime or to establish the identity of a participant in a crime.

The bureau contributed \$2,000 in evidence funds for undercover buys during the current grant period but is unable to guarantee continued fund availability in the next budget cycle. This proposal requests \$5,804 for Confidential Funds, which will ensure adequate evidence purchase funding during the grant period.

The budget also requests funding for three Smart phones with text capabilities. This expense provides for three pay-as-you-go subscriptions and text ability. The phones will rotate between the IPCET detectives allowing each to have a different phone number for multiple contacts of the same IPC targets. These undercover phones will ensure no single phone number is identified as law enforcement when conducting IPC investigations.

Section I: Indirect Costs (\$ -0-) There are no indirect expenses associated with this grant.

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**Project Timeline**

**Month One of grant award and authorization (October 2012 per solicitation)**

- Detail Detectives work IPC Detail three 10-hour days per week.
- Detail Detectives search online websites and auctions for IPC merchandise.
- Supervising Sergeant initiates process to gain approval through chain of command to update IPC links on the official Portland Police Bureau (PPB) website.
- Supervising Sergeant renews internet provider subscription to continue undercover online operations of IPC cases.
- Supervising Sergeant runs internal programs to check validity of unique tracking code from PPB Records Division specifically created to track IPC reports.
- Detail Detectives identify internet sites selling IPC merchandise and open investigations focusing on arresting suspects.
- Detail Detectives contact FBI, Department of Homeland Security (DHS) and Secret Service partners for deconfliction of initiated investigations and share intelligence.
- Detail Detectives contact the Regional Information Sharing Systems program (RISS), the Oregon State Intelligence Network (OSIN), the Financial Crimes Enforcement Network (FINCEN) and the Narcotics and Dangerous Drugs Information System (NADDIS) for deconfliction with agencies outside the Monthly Intelligence Information Exchange (MIIE).

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- Supervising Sergeant sends out monthly MIIE meeting notice to participating agencies, which will include the Multnomah County District Attorney's Office, state, local and federal agencies for IPC informational exchanges with the goal of mutual aid for each other's cases and sharing of intelligence.
- Detail Detectives will walk through stores, strip malls and flea markets in bureau's jurisdiction to identify locations selling IPC merchandise.
- Detail Detectives will contact PPB School Resource Officers for training in IPC, with the goal of developing age appropriate presentations to educate children about the economic as well as health and safety risks in purchasing counterfeit and pirated items.
- Supervising Sergeant will continue to utilize and update the in-house statistical tracking spreadsheet created in prior grant reporting period to assist with quarterly reporting of program performance measures.
- Detail Detectives will contact PPB Gang Enforcement Team (GET) and attend division Roll Calls to network regarding IPC cases.
- Attend International Anti-Counterfeiting Coalition Conference in San Diego, California.

**Month Two (tentatively scheduled as November 2012)**

- Supervising Sergeant completes procurement approval of program supplies.
- Detail Detectives update links to IPC websites on PPB website.
- Detail Detectives work IPC Detail three 10-hour days per week.

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- Detail Detectives continue to search internet websites and online auctions for sites selling IPC merchandise.
  - Detail Detectives continue to investigate identified IPC targets toward the goal of arrest and prosecution.
  - Detail Detectives identify potential online IPC cases and leads for cases and start investigations after deconfliction with FBI, DHS and Secret Service partners.
  - Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
  - Detail Detectives contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
  - Detail Detectives investigate all case referrals from FBI, DHS and Secret Service.
  - Detail Detectives collaborate with GET on IPC cases with gang ties.
  - Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and Deputy District Attorney (DDA).
  - Detail Detectives continue to monitor locations within Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs of strip malls, flea markets and stores.
  - Detail Detectives attend another bureau Roll Call for information sharing and outreach.
  - Detail Detectives reach out to community/business groups for education about the economic as well as health and safety risks in purchasing counterfeit and pirated items.

**Month three (tentatively scheduled as December 2012)**

- Detail Detectives work IPC Detail three 10-hour days per week.

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- Detail Detectives continue to search internet websites and online auctions for sites selling IPC merchandise.
  - Detail Detectives engage in ongoing discussion with the DDA on case presentation for successful prosecution.
  - Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution. This includes written reports, custody reports, citations, property receipts and evidence logged for court.
  - Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
  - Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
  - Detail Detectives attend another bureau Roll Call for information sharing and outreach.
  - Detail Detectives investigate all leads from FBI, DHS and Secret Service.
  - Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.
  - Detail Detective reach out to business and community groups to provide education on economic as well as health and safety issues surrounding counterfeiting and pirated merchandise.

**Month Four (tentatively scheduled as January 2013)**

- Detail Detectives continue to work overtime on IPC Detail for the duration of the program.

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- Supervising Sergeant evaluates program progress and direction for the best use of grant monies in keeping with projected goals.
- Detail Detectives working IPC cases pursue developing leads online five hours a week.
- Detail Detectives engage in ongoing discussion with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution. This includes written reports, custody reports, citations, property receipts and evidence logged for court.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

**January 30, 2013**

- Complete and submit semi-annual performance measures report and quarterly financial status report to granting authority.

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**Month Five (tentatively scheduled as February 2013)**

- Supervising Sergeant evaluates program progress and direction for the best use of grant monies in keeping with projected goals.
- Detail Detectives working IPC cases pursue developing leads online.
- Detail Detectives engage in ongoing discussion with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution. This includes written reports, custody reports, citations, property receipts and evidence logged for court.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.
- Detail Detectives reach out to community/business groups for education about the economic as well as health and safety risks in purchasing counterfeit and pirated items.

**Month Six (tentatively scheduled as March 2013)**

- Detail Detectives working IPC cases pursue developing leads online.

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- Detail Detectives continue monitoring locations within the Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
  - Detail Detectives investigate all leads from FBI, DHS and Secret Service.
  - Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
  - Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
  - Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
  - Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
  - Detail Detectives attend another bureau Roll Call for information sharing and outreach.
  - Detail Detectives collaborate with GET on IPC cases with gang ties.
  - Detail Detectives investigate all leads from FBI and DHS.
  - Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

**Month Seven (tentatively scheduled as April 2013)**

- Supervising Sergeant evaluates program progress and direction for the best use of grant monies in keeping with projected goals.
- Detail Detectives working IPC cases pursue developing leads online.



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- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
  - Detail Detectives investigate all leads from FBI, DHS and Secret Service.
  - Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
  - Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
  - Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
  - Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
  - Detail Detectives attend another bureau Roll Call for information sharing and outreach.
  - Detail Detectives collaborate with GET on IPC cases with gang ties.
  - Detail Detectives investigate all tips from the community.
  - Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

**April 30, 2013**

- Complete and submit quarterly financial status report to granting authority.

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**Month Eight (tentatively scheduled as May 2013)**

- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
- Detail Detectives working IPC cases pursue developing leads online.
- Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives collaborate with GET on IPC cases with gang ties.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Detail Detectives investigate all tips from the community.
- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.
- Detail Detectives reach out to community/business groups for education about the economic as well as health and safety risks in purchasing counterfeit and pirated items.

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**Month nine (tentatively scheduled as June 2013)**

- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
- Detail Detectives working IPC cases pursue developing leads online.
- Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives collaborate with GET on IPC cases with gang ties.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Detail Detectives investigate all tips from the community and brand owner partners.
- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

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**Month 10 (tentatively scheduled as July 2013)**

- Supervising Sergeant evaluates program progress and direction for the best use of grant monies in keeping with projected goals.
- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
- Detail Detectives working IPC cases pursue developing leads online.
- Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives collaborate with GET on IPC cases with gang ties.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Detail Detectives investigate all tips from the community and brand owners.
- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

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**July 30, 2013**

- Complete and submit semi-annual performance measures report and quarterly financial status report to granting authority.

**Month 11 (tentatively scheduled as August 2013)**

- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
- Detail Detectives working IPC cases pursue developing leads online.
- Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.
- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
- Detail Detectives attend another bureau Roll Call for information sharing and outreach.
- Detail Detectives collaborate with GET on IPC cases with gang ties.
- Detail Detectives investigate all leads from FBI, DHS and Secret Service.
- Detail Detectives investigate all tips from the community and brand owners.

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- Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.
- Detail Detectives reach out to community/business groups for education about the economic as well as health and safety risks in purchasing counterfeit and pirated items.

**Summer 2013**

- Supervising Sergeant, Detail Detectives and DDA may attend an IPC training or conference depending on training opportunities.

**Month 12 (tentatively scheduled as September 2013)**

- Detail Detectives continue monitoring locations with Portland-Metropolitan Area that traffic in IPC merchandise with walk-throughs and checks of strip malls, flea markets and stores.
- Detail Detectives working IPC cases pursue developing leads online.
- Supervising Sergeant and Detail Detectives engage in ongoing discussions with the DDA on case presentation for successful prosecution.
- Detail Detectives pursue investigations and develop cases, which are presented to the DDA for prosecution.
- Supervising Sergeant and Detail Detectives host and attend monthly MIIE meetings.  
Discuss program sustainability plans for when the grant ends.

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- Detail Detectives will contact RISS, OSIN, FINCEN and NADDIS for deconfliction with agencies outside the MIIE.
  - Detail Detectives attend another bureau Roll Call for information sharing and outreach.
  - Detail Detectives collaborate with GET on IPC cases with gang ties.
  - Detail Detectives investigate all leads from FBI, DHS and Secret Service.
  - Detail Detectives investigate all tips from the community and brand owner partners.
  - Supervising Sergeant continues research of program-specific IPC training for Detail Detectives, Supervising Sergeant and DDA.

**October 30, 2013**

- Complete and submit semi-annual (and final) performance measures report and quarterly financial status report to granting authority.

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**Position Descriptions**

**CITY OF PORTLAND, OREGON**

**30000298**

**POLICE SERGEANT**

FLSA Status: Exempt

Union Representation: Portland Police Association

**Class Summary:**

This is first-line supervisory police work. Employees occupying positions of this class are responsible for the direct supervision of law enforcement and related support service personnel in the area of assignment on an assigned shift. In the capacity of first line supervisor, the employee is directly responsible for the safety of the public by the effective coordination of the work of subordinate law enforcement personnel. Employees can be assigned to a precinct or to a special unit within the Bureau. Although the emphasis is on supervision, the employee will also be involved in training new employees; maintaining records; preparing reports, and other duties related to the functioning of the assigned unit. This level of supervision includes enforcing personnel rules and labor contract provisions and recommending personnel actions, such as recommending discipline, suspension, discharge, in addition to evaluating performance of subordinates. Duties are performed independently under the administrative supervision of a police officer of higher rank who occasionally reviews completed work for conformance to policies and for accomplishment of desired results.

**Examples of Work:**

- Assigns officers to districts and briefs them on specific assignments and key information; inspects subordinate personnel; patrols field areas to check officers in the performance of duties; and gives advice and assistance when necessary.
- Screens arrests to assure compliance with the law, departmental regulations, rights of citizens, and reasonableness of arrest.
- Supervises the activity of a specialized unit, squad, or small shift unit; serves as acting commander of a large shift unit in the commander's absence; directs, plans, and reviews work of subordinate uniform and supporting personnel engaged in training, tactical unit, juvenile, intelligence, criminal investigation, and similar activities; schedules leave time; arranges substitutions for sick and injured; arranges for acting sergeant during absence, and prepares reports on employee performance.
- Reviews incident and activity reports submitted by subordinates; evaluates and returns them for correction as needed.



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Police Sergeant, continued

- Reports to the scene of serious crime to supervise and coordinate police activities; responds to the finding of dead bodies, police vehicle accidents, and incidents involving injured officers and discharged police firearms.
- Evaluates, counsels, explains Bureau policies, and provides on-the-job training to subordinate employees.

**Not all the work performed is specifically described. Not all tasks are done at all work locations.**

**Knowledge, Skills and Abilities: (At time of appointment)**

- Considerable knowledge of laws, codes, and statutes as they relate to investigative techniques and procedures, rules of evidence, and the rights of suspects and defendants.
- Knowledge of modern police practices and methods and principles of crime prevention.
- Knowledge of accident prevention principles and skill in their application.
- Some knowledge of the principles of supervision, organization, and administration.
- Skill in using good judgment and making decisions in stressful situations and in analyzing and adapting to new situations quickly.
- Skill in understanding and executing oral and written instructions.
- Skill in establishing and maintaining effective working relationships with subordinates and the general public.
- Skill in operating assigned equipment skillfully, safely, and in conformance with applicable laws or regulations.
- Skill in the use and care of firearms.

**Special Requirement:**

Possession of a valid state driver's license.

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**Class History:**

Adopted: 08-19-75

June 2009 - Change Job Class number from 5134 to 30000298, due to system change.

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**CITY OF PORTLAND, OREGON**

**30000302**

**POLICE DETECTIVE**

FLSA Status: Covered

Union Representation: Portland Police Association

**Class Summary:**

This is highly skilled criminal investigation work. Employees occupying positions of this class are responsible for performing the most complex and difficult criminal investigative duties. Work involves the application of special knowledge and techniques in the processing, follow-up, and investigation of alleged crimes. Work also involves performing undercover operations, operating technical investigative equipment, and interpreting data. Employees may be assigned to a special project where individual skills and abilities can be utilized. Assignments are received from superior officers and usually entail the processing and investigation of the case until it is cleared or completed. This class is distinguished from that of Police Officer by the greater intensity and scope of investigations as well as the greater responsibility for effectively interrogating hostile or reluctant persons and for preparing the more complex cases for presentation in criminal court. Incumbents are expected to identify the priorities of work, request assistance as needed, and organize their work for efficient completion. Supervisors coordinate needs for assistance, provide advice and counsel upon request, interpret Bureau policy, approve priorities, and provide administrative supervision. Work is reviewed for completeness and conformance to requirements for rules of evidence.

**Examples of Work:**

- Receives and reviews reports of possible criminal activities; determines if further investigation is needed and if incident is related to other crimes or incidents; obtains additional evidence necessary to prosecute; or clears case by searching for-evidence and interrogating persons.
- Visits businesses where criminals are likely to attempt to sell stolen items in order to identify such items; apprehends persons who stole them and those who knowingly assisted them; suppresses traffic in stolen goods and identifies the rightful owners of the stolen articles.
- Investigates fire scenes to collect information; determines whether fire was caused by arson, gathers and prepares evidence necessary for presentation in court.
- Investigates incidents where fraud, extortion, theft, robbery, homicide, felonious sex offenses, and similar crimes are alleged to gather facts, determine if a crime were committed, and carry through the process until the case is concluded; super- vises other personnel assisting with investigation.

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Police Detective, continued

- Locates and interviews witnesses; cultivates informants, determines their relative reliability, evaluates their information, and follows up on leads provided; executes arrest and search warrants.
- Reviews computer disks, audio and videotapes for evidence of criminal activity.
- Administers polygraph examinations; determines where silent burglary detection devices should be installed; installs and monitors them; and makes arrests.
- Evaluates evidence obtained; discusses case with District Attorney; gathers additional evidence, as necessary; and testifies in court.

**Not all the work performed is specifically described. Not all tasks are done at all work locations.**

**Knowledge, Skills and Abilities: (At time of appointment)**

- Considerable knowledge of criminal investigation techniques and practices.
- Considerable knowledge of the rules of evidence, arrest for probable cause and similar laws and statutes.
- Knowledge of and skill in the operation of common personal computer hardware and software, audio and video taping equipment.
- Skill in reviewing a multitude of information related to a criminal incident, identifying the key elements, and from this, developing a case which can be successfully prosecuted.
- Skill in testifying clearly, cogently, and creditably in criminal court.
- Skill in planning and organizing work independently.
- Skill in expressing ideas effectively orally and in writing.

**Special Requirement:**

Possession of a valid state driver's license.

**Working Conditions:**

Work in this class is typically performed both in an office environment and in the field. Detectives may be required to attend autopsies if assigned to homicide detail. Detectives are also subject to being called back to work during emergencies and may be required to carry a pager.

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**Class History:**

Adopted: 08-19-75

Revised and re-established: 11-19-01

June 2009 - Change Job Class number from 5150 to 30000302, due to system change

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**MULTNOMAH  
COUNTY**

MULTNOMAH COUNTY  
Established Date: Jan 1, 1990

**DEPUTY DISTRICT ATTORNEY 3**

Class Code:  
6253

**SALARY RANGE**

\$38.09 - \$56.45 Hourly  
\$3,313.50 - \$4,910.78 Semi-Monthly  
\$6,627.00 - \$9,821.56 Monthly  
\$79,524.00 - \$117,858.72 Annually

**DEFINITION:**

The Deputy District Attorney 3 performs professional legal work and is the advanced-journey level classification, and the initial supervisory level, within the Deputy District Attorney series. Incumbents are assigned to criminal prosecution, Juvenile prosecution or child support enforcement. Felony prosecutions assigned to this classification focus on crimes against persons, such as homicide, sexual and/or physical abuse, assault, rape and specialized duties such as intake evaluation, arson and hazardous waste prosecution. The Deputy District Attorney 3 may also perform assigned higher level duties in the absence of the Deputy District Attorney, Senior.

The Multnomah County District Attorney's Office prosecutes crimes committed in Multnomah County and provides legal and support services to ensure expedient criminal prosecutions, child support enforcement, neighborhood prosecution, assistance to crime victims, juvenile delinquency and dependency representation, and prosecution on behalf of the State of Oregon.

The District Attorney's Office is divided into two divisions: The Felony Division and the Family and Community Justice Division. Under general direction, The Deputy District Attorney 3 will evaluate and prosecute complex, highly publicized and sensitive felony cases; supervise or lead a project, section or team of professional, paraprofessional or support staff; provide legal advice to law enforcement agencies investigating crimes; advise, counsel and conduct special training for Deputy District Attorneys and law enforcement personnel; and to do other work as required.

**DISTINGUISHING CHARACTERISTICS**

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The Deputy District Attorney 3 differs from the Deputy District Attorney 2, that prosecutes primarily simple felony cases, such as property crimes, and does not lead/supervise other professional attorneys, nor prosecute the highest level felony cases. It also differs from the District Attorney, Senior, which acts as manager of a major work unit.

**EXAMPLES OF DUTIES:**

**ESSENTIAL FUNCTIONS** (Essential functions, as defined under the Americans with Disabilities Act, may include the following duties and responsibilities, knowledge, skills and other characteristics. Depending upon assignment, the incumbent may perform a combination of some or all of the following duties, which are a representative sample of the level of work appropriate to this classification.)

Assists in the development, recommendation and implementation of administrative policies and procedures related to criminal prosecution.

May supervise a small work unit or project team; provides input into hiring, disciplinary and performance issues; provides lead assistance to Deputy District Attorneys regarding case strategy and case law.

Conducts victim advocate training; teaches basic criminal law, search and seizure and other law enforcement classes.

Participates in homicide scene investigations; reviews crime site and advises on seizure of evidence; assists investigators with search warrant affidavits.

Litigates criminal cases, particularly those involving violent crimes against persons, including rape, assault and robbery 1 and automobile homicides; examines prospective trial jurors to select an impartial jury; examines and cross-examines witnesses; argues objections and mid-trial motions; presents closing arguments; litigates pre-trial motions and prepares trial strategy to prosecute criminal cases; analyzes admissibility and determines presentation of witnesses and evidence; subpoenas and prepares witnesses for testifying; prepares legal briefs and oral arguments; coordinates prosecution of multijurisdictional felonies and felons.

If assigned to Juvenile, prepares cases and litigates offenses and crimes, from misdemeanors to complex felonies, in which the offender is a Juvenile; consults with and advises police agencies in the course of investigations, including application to the Court for orders that assist law enforcement in information gathering; reviews police reports and makes charging decisions; initiates and prosecutes dependency petitions assigned to bring juveniles within jurisdiction of the Court; consults with Children's Services Division and other child network and safety groups and schools in the course of investigating child welfare and safety matters; prepares dependency and delinquency proceedings for trial, and

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presents case to court for adjudication.

Processes return indictments and conducts court arraignment appearances; presents indictments to judge and recommends bail amounts; makes pretrial release recommendations; negotiates case resolution with defense counsel; conducts plea appearances.

Analyzes facts and legality of felony criminal investigations; determines whether investigations are complete and sufficient to be presented to the Grand Jury for a charging decision; pursues formal indictment process; analyzes police reports, evidence and search warrant affidavits; reviews legal issues and requests further investigation; interviews, prepares and subpoenas witnesses to testify; provides legal instruction to jury members.

Formulates and recommends appropriate sentences based on criminal conviction; evaluates pre-sentence investigation reports; presents evidence and witnesses to support sentencing recommendations.

Provides support and assistance to victims; assists in obtaining counseling and other victim services; informs victims of case proceedings; releases case information to the media.

Analyzes probation violation reports to determine whether to proceed with probation violation hearings; presents evidence and examines witnesses; recommends sentencing.

**SUPERVISION RECEIVED AND EXERCISED:**

Receives direction from a Deputy District Attorney 4.

**KNOWLEDGE/SKILLS/ABILITIES REQUIRED:**

Comprehensive knowledge of principles and practices of criminal law; principles and techniques of judicial procedure and rules of evidence; statutes, rules and case law relating to grand jury proceedings, criminal pleading, detention, arrest, search and seizure, self-incrimination, right-to-counsel, other criminal procedures and prosecutorial immunity and liability; techniques of persuasion; sentencing guidelines for felons; legal research procedures and methods; principles and techniques of negotiation; police investigation techniques; professional responsibility and ethics; basic principles of forensics; principles of psychology and psychiatry related to criminal behavior; laws relating to forfeiture of property by felons.

Skill to interpret and apply legal principles and procedures; analyze and organize facts and evidence; research, analyze and prepare legal documents; effectively and persuasively present facts, evidence, precedents and recommendations to judges and juries; provide accurate and practical legal advice.

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Skill to obtain cooperation from young, reluctant and/or traumatized crime victims.

Skill to communicate effectively, both orally and in writing; establish and maintain cooperative working relationships with government officials, law enforcement and court personnel, prosecuting and defense attorneys and the public.

**MINIMUM QUALIFICATIONS REQUIRED FOR ENTRY:**

Any satisfactory combination of experience and training that demonstrates possession of the required knowledge and skills is qualifying. Must be a current member of the Oregon State Bar in good standing.

**CLASSIFICATION TYPE/FLSA/HISTORY:**

**Type:** Union Classification.

**FLSA:** Exempt

**History:**

Revised Oct 2009

Established

Jan

1,

1990

For more info please contact the District Attorney HR (503) 988-5706 x85706

**PSG:**

6253

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**Résumés**

<b>Cheryl Waddell</b>	
1111 SW 2 <sup>nd</sup> Ave., Suite 1326, Portland, Oregon 97204 (503)823-0697 cheryl.waddell@portlandoregon.gov	
Current Assignment	Detective, White Collar Crime Detail, Portland Police Bureau
Experience	White Collar Crime Detective February 2010 – Present Portland Police Bureau, Portland, OR Co-Wrote awarded BJA grant for FY11 Intellectual Property Enforcement Wrote Federal grant for FY2012 Intellectual Property Enforcement Current Intellectual Property Crimes Enforcement Team Detective Financial Investigative Techniques Training Investigation of Felony Fraud and Theft crimes
	Sex Crimes Unit Detective September 2005- February 2010 Portland Police Bureau, Portland, OR Lead Detective Sex Offender Registration Unit 2006-2010 Co-Wrote initial grant for Sex Offender Registration Unit 2007 FBI Task Cyber Crimes Task Force- Innocent Images Internet Investigations August 2006-February 2010 Member of Oregon Attorney General's Sexual Assault Task Force September 2006-September 2008 Lead Detective for Sexual Assault cases involving Internet/ Computers Investigation of Child Prostitution/ Human trafficking August 2006-2009
	Detective-General Assignment September 2004-September 2005 Promotion Probation/ Training rotation through investigative details
	Community Police Officer Patrol February 1999-Sept 2004 Portland Police Bureau, Portland, Oregon Rapid Response Team/ Weapons of Mass Destruction Instructor April



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	2004-2007 Instructor Development Course August 5, 2003 CPR/ First Aid- Instructor May 2002-2004 Spanish Emersion trip Oaxaca Mexico February 2003 Spanish Language and Culture June 2001 Cadet Advisor August 2001-2004 Crisis Intervention Team Training May 2002 Peer Support Training April 2002
Awards	Lifesaving Metal- November 2004, Multnomah County Community Justice Appreciation award- 2006  Numerous letters of commendation
Education	California State University, Fullerton, California August 1987-May 1992 BA Criminal Justice Independent Study Abroad , London England, 3.5 GPA
Interests	Interests include Finical Equity Investments and computer technology
References	References are available on request.

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► John Kuechler

1111 SW 2<sup>nd</sup> Avenue, Suite 1326, Portland, Oregon 97204

Phone: (503) 823-0899

E-mail: john.kuechler@portlandoregon.gov

**Current Assignment**

Detective, White Collar Crime Detail, Portland Police Bureau

**Experience**

**White Collar Crime Detective** (August 2011 – Present)

Portland Police Bureau (1111 SW 2<sup>nd</sup> Avenue, Portland, Oregon 97204)

Current duties include the investigation of felony financial crimes to include, Theft, Identity Theft, Forgery, Credit Card Fraud, Theft by Extortion, Criminal Mistreatment and Intellectual Property Crimes.

Instructor for the White Collar Crimes and Counterfeit Document class at the Portland Police Bureau's Detective Academy.

**North Precinct Property Crime Detective** ( November 2006 - August 2011)

Portland Police Bureau (449 NE Emerson Street, Portland, Oregon 97211)

Duties included the investigation of felony financial and property crimes to include Theft, Identity Theft, Forgery, Credit Card Fraud, Theft by Extortion, Criminal Mistreatment, Residential and Commercial Burglary, Metal Theft and Car Theft.

Instructor for the White Collar Crimes and Counterfeit Document class at the Portland Police Bureau's Detective Academy.

**White Collar Crime Detective** (April 2001 – November 2006)

Portland Police Bureau (1111 SW 2<sup>nd</sup> Avenue, Portland, Oregon 97204)

Duties included the investigation of felony financial crimes to include Theft, Identity Theft,

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Forgery, Credit Card Fraud, Theft by Extortion and Criminal Mistreatment.  
Instructor for the White Collar Crimes and Counterfeit Document class at the Portland Police Bureau's Detective Academy.

**Sergeant Central Precinct** (September 1998 – April 2001)

Portland Police Bureau (1111 SW 2<sup>nd</sup> Avenue, Portland, Oregon 97204)

Duties included, Patrol Sergeant, Neighborhood Response Team Sergeant and Sergeant for Central Precinct's Property Crime Detectives.

**Neighborhood Response Team Officer SE Precinct** (December 1996 – September 1998)

Portland Police Bureau (4735 E Burnside Street, Portland, Oregon 97215)

Duties included working with citizens, community groups, businesses, business leaders and city and county agencies to reduce crime and improve livability in SE Portland neighborhoods and business districts. Specialized in working with the homeless and mentally ill. Member of the advisory board at two homeless shelters, the Clark Center and Jean's Place. Member of the Mayor's Graffiti Task Force.

**Uniform Patrol Officer** (September 1989 - December 1996)

Portland Police Bureau (4735 E Burnside Street, Portland, Oregon 97215)

After initial training rotation preformed the duties of a uniformed patrol officer, and neighborhood liaison officer at SE Precinct.

**Education**

Associates Degree, Criminal Justice, Sacramento City College (Spring 1975)

**Awards**

- ▶ On January 14, 1999, I received the Police Bureau's Distinguished Service Medal as recognition of outstanding performance as a Neighborhood Response Team Officer.
- ▶ On June 20, 2007, I received the Police Bureau's Achievement Medal as recognition of outstanding performance as a White Collar Crime Detective.

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Desk: 503-823-0897  
Cell: 503-793-8196  
E-mail: vic.dody@portlandoregon.gov

## VIC W DODY

### Work History

2011 - Present Detective Division

#### **Detective Sergeant**

I supervise the White Collar Crime Detail along with detectives in detached positions assigned to the IRS Task Force, the PFB Arson Detail and the FBI Computer Crime Lab.

2010 - 2011 Central Precinct

#### **Patrol Sergeant**

Assigned to day shift, patrol.

2008 - 2010 Training Division

#### **Police Sergeant**

Investigated officer involved shootings from a training perspective. Supervised instructors and support staff and developed programs for annual officer and detective in-service training.

2003 - 2008 Southeast Precinct

#### **Patrol Sergeant**

I have worked all three shifts for a year and a half each. I have supervised several major incidents, planned and executed several search warrants, and planned and supervised several missions. I have been A/Lt. on all three shifts.

2002 - Present Air Support Unit (Detached position)

#### **Pilot**

I am mostly called out for flights outside of my normal work hours. Although I sometimes need to adjust my shift for training or flights, I do a good job of not letting this interfere with my regular assignment.

1993 - 2008 Honor Guard (Detached position)

#### **Member**

This is on a very infrequent basis, as I am no longer participating in regular events but I could be used for something major.

2002 - 2003 East Precinct

#### **Police Officer**

I was assigned as an acting sergeant many times during this period on the afternoon shift, which was the largest and busiest shift in the Bureau.

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1999 - 2002                      Drugs and Vice Division

**Narcotics Investigator**

I led and participated in many investigations, search warrants, and undercover operations throughout the Portland Metropolitan area. This included coordinating, and working in conjunction with various other agencies.

1992 - 1999                      East Precinct (After probation rotations)

**Police Officer**

I worked both the afternoon shift and day shift. I was a DARE Instructor for three years, a Crisis Intervention Officer for four years, and I worked a traffic detail car for a year.

**Education**

1984 - 1986                      Spartan School of Aeronautics                      Tulsa, Oklahoma

**Associate Degree**

Graduated with honors.

## Edward R. Brumfield

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20000 Torrey Pines Dr  
Oregon City, OR 97045

Phone: 503-823-2064  
Fax: 503-823-2113  
ebrumfield@portlandpolice.org

### **Career Summary**

A proven leader with over twenty-eight years of experience in the Portland Police Bureau. I have demonstrated the ability to foster teamwork and build relationships while serving as: Commander of the Special Emergency Reaction Team, Lieutenant of the Metro Explosive Disposal Unit, Person Crimes Lieutenant, Homicide Sergeant, and HNT Sergeant. I have brought positive change to each assignment and have a record of dedicated service to the organization and the citizens of Portland.

### **Work History**

**Commander, Detective Division** January 2011 - Present

**Captain, Professional Standard Division** July 2010 - January 2011

During a reorganization in the Police Bureau I was assigned as the Division Manager of the Professional Standards Division. In this position I reported to the Director of Services and was responsible for Internal Affairs as well as Standards and Accountability. I was the Police Bureau lead in establishing the new Police Review Board which was required by City Ordinance.

**Captain, Internal Affairs Division** December 2009 - July 2010

As Captain of Internal Affairs I was the Division Manager working for the civilian Professional Standard and Accountability Director. I worked closely with the office of Independent Police Review and the Citizens Review Committee. I was responsible for the oversight of all police administrative investigations involving misconduct.

**Lieutenant, Tactical Operations Division** September 2006 - December 2009

As a lieutenant in Tactical Operations Division I had responsibility for the management of the Metro Explosive Disposal Unit (MEDU), the Special Emergency Reaction Team (SERT), and the Air Support Unit (ASU). As team commander for SERT I have helped to improve the Bureau's response to critical incidents by assisting in the implementation of our current 'critical incident command' program. I have successfully improved the working relationship between SERT, HNT, EDU and Incident Command by helping to build better teamwork and communication. Management of these specialty units includes oversight of several million dollars of worth of highly technical equipment in addition to ongoing research and development of current tactics and technology.

## **Edward R. Brumfield**

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### **Homicide Sergeant, Detective Division April 2000 - June 2005**

As sergeant in the Homicide Detail I was responsible for the supervision of investigations related to homicide, assault, bias crimes, missing persons and officers use of deadly force. I was the team leader of two separate task force murder investigations, both of which resulted in the identification and conviction of the suspect. I supervised over seventy-five homicide investigations and several high profile officer involved deadly force investigations. I was on the Police Bureau's work team assigned to rewrite the policy covering deadly force and deadly force investigations. I established and maintained very close working relationships with individuals both inside and outside our organization, including the District Attorney's Office, Oregon State Police Crime Lab, Oregon State Medical Examiners Office, police unions and attorneys along with numerous outside agencies and citizen groups. I helped implement change as well as review and respond to recommendations made by the Police Assessment Resource Center.

### **Sergeant, Drugs and Vice Division June 1994 - April 2000**

During this assignment I supervised the vice detail and liquor license investigators. I set the direction and priority of our investigations focusing on investigating and prosecuting those individuals who were profiting from others involved in prostitution. I served on the executive board of the Western States Vice Investigators Association as Director of Training and gave numerous educational presentations to police officers, citizen groups, teachers, parents, and teenagers regarding the pimp - prostitute relationship. We assisted many young adults and children in getting out of this very damaging and dangerous lifestyle. I built strong relationships with the District Attorneys Office and a number of social service agencies, counselors, and outreach workers to provide the best service we could for each individual we came in contact with. As an additional duty, I became the first detached sergeant for the Hostage Negotiators Team (HNT) and responded as team leader to HNT callouts.

### **Sergeant, Training Division January 1993 - June 1994**

While assigned to the Training Division my responsibilities included supervision of in-service training, probationary services, advanced academy, the police vehicle operations program, and the patrol tactics program. As supervisor of these disciplines I was responsible for ensuring that the training delivered was consistent with the missions and goals of the organization. I was an instructor in firearms, patrol tactics and police vehicle operations.

### **Sergeant, North Precinct February 1991 - January 1993**

As a sergeant at North Precinct I was assigned to the night relief which was comprised of many young officers of varied experience. This provided me with an excellent opportunity to coach, mentor and lead while developing as a new sergeant. As a first line patrol supervisor I responded to high risk calls on a regular basis. I was successful at improving teamwork not only inside the relief but also with other shifts, precincts, investigative units and the community. I quickly gained a reputation as a solid supervisor and received recognition from my subordinates as well as my supervisors.

## **Edward R. Brumfield**

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### **Narcotics Officer, Drugs and Vice Division March 1987 - January 1991**

As a narcotics officer I was able to improve and develop my investigative skills. I demonstrated a strong commitment to teamwork and continually looked for new and innovative investigative methods. I was one of the first investigators in Drugs and Vice to use video recording as evidence and often assisted others with their cases by installing and operating the equipment. I helped design and build a surveillance vehicle for the division which utilized some of the most updated equipment at the time. I was successful in a number of investigations involving upper mid level dealers which resulted in some of the largest seizures in the division.

### **Patrol Officer April 1982 - February 1991**

The majority of this time was spent working uniform patrol with the exception of several months in the North Precinct Street Crimes Unit and the listed time in the Drugs and Vice Division.

### **Additional Assignments, Awards, Activities**

Youth Sports Coach

2 Portland Police distinguished service commendations

Portland Police Achievement Medal

Team Sergeant for Hostage Negotiators Team

Alternate Lieutenant for Hostage Negotiators Team

Team Commander Special Emergency Reaction Team

Attorney Generals Task Force on Deadly Force

Director of Training for WSVIA

1980 Outstanding Administration of Justice Student, Lower Columbia College

### **Education and Training**

Associate in Arts, Administration of Justice

Lower Columbia College Longview, WA

Portland State University Law Enforcement Public Safety Mid Management Course

National Tactical Officers Association Swat Commanders School

Op Tac International Advanced Tactical Command School

FBI Hazardous Devices School Bomb Squad Executive Management Course

NTOA Critical Incident Management Class

OTOA Basic SWAT School

FBI Basic Hostage Negotiator School

Over 3,000 hours of specialized law enforcement training



U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
City of Portland, Oregon Police Bureau

Additional Attachments: Project Timeline, Position Descriptions,  
Résumés, Letter of Assurance, Confidential Funds Certification  
and Portland Police Bureau Evidence Use Funds Directive  
Application Attachment 4

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**Sanam Dowlatdad**

3570 SW River Parkway, #1411  
Portland, OR 97239  
(503)702-5591 / sdowlatdad@yahoo.com  
OSB #020441

**EXPERIENCE**

**Multnomah County District Attorney's Office**

Portland, Oregon

Deputy District Attorney, October 2011 – Present;

- Intellectual Property Crimes (October 2011 – Present)
  - Work in conjunction with law enforcement to deter and prosecute intellectual property crimes
  - Provide legal training to law enforcement
  - Provide training and education to the community regarding issues surrounding intellectual property crimes

**Sanam Dowlatdad, Attorney at Law**

Portland, Oregon

Self-employed, February 2010 – September 2011

- Represented plaintiffs in personal injury actions and individuals facing criminal charges

**Cosgrave Verger & Kester, LLP**

Portland, Oregon

Litigation Associate, August 2008 – February 2010

- Represented insurance companies in a variety of actions

**Multnomah County District Attorney's Office**

Portland, Oregon

Deputy District Attorney, June 2003 – August 2008

- Elder Abuse (March 2008 – August 2008)
  - Prosecuted complex cases involving elder victims
- Gangs (August 2007 – March 2008)
  - Tried felonies involving gang violence and Ballot Measure 11 crimes
- Neighborhood Prosecution, Southeast Precinct (September 2005 – August 2007)
  - Worked closely with law enforcement and local governmental agencies on livability issues affecting surrounding neighborhoods
  - Provided advice and legal training to police officers on search and seizure law
- Felony Property, 180-day rotation (November 2004 – July 2005)
  - Prosecuted felonies involving financial fraud and property offenses

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance  
Intellectual Property Crime Enforcement Program FY 2012 Competitive Grant  
City of Portland, Oregon Police Bureau

Additional Attachments: Project Timeline, Position Descriptions,  
Résumés, Letter of Assurance, Confidential Funds Certification  
and Portland Police Bureau Evidence Use Funds Directive  
Application Attachment 4

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- Misdemeanor Trials (June 2003 – November 2004; July 2005 – September 2005)
  - Prosecuted misdemeanors

**Marion County District Attorney's Office**

Salem, Oregon

Certified Law Student, May 1999 – May 2001

- Prosecuted misdemeanors and assisted in the preparation of two murder trials
- Researched and drafted memoranda for supervising attorneys

**Oregon Department of Justice**

Salem, Oregon

Intern in Financial Fraud Division, November 1997 – May 1998

- Assisted in resolving issues between Oregon consumers and businesses

**EDUCATION**

**Willamette University College of Law**

Salem, Oregon

Juris Doctor, May 2001

- Oregon State Bar First Year Honors Program
- Phi Alpha Delta Law Fraternity
- Moot Court Board

**Willamette University**

Salem, Oregon

Bachelor of Arts, Spanish, May 1997

- Studied in Seville Spain, Spring 1996
- Pi Beta Phi Sorority

**ADDITIONAL INFORMATION**

Born in Iran and fluent in Farsi

Enjoy running, downhill skiing, golfing, and other outdoor activities

Traveled extensively throughout Europe, Asia and South America

**CITY OF PORTLAND, OREGON****Bureau of Police**Sam Adams, Mayor  
Michael Reese, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000 • Fax: 503-823-0342

Integrity • Compassion • Accountability • Respect • Excellence • Service

February 28, 2012

Denise E. O'Donnell  
Director  
Bureau of Justice Assistance  
Office of Justice Programs

**RE: FY 2012 Intellectual Property Crime Enforcement Program Letter of Assurance**

Dear Ms. O'Donnell:

Thank you for this opportunity for the City of Portland to apply for the Bureau of Justice Assistance FY 2012 Intellectual Property Crime Enforcement Program grant in order to increase and enhance the Portland Police Bureau's enforcement of state and federal Intellectual Property crimes.

The Portland Police Bureau is a municipal law enforcement agency authorized to uphold the laws of the United States of America and State of Oregon. The Portland Police Bureau (PPB) is authorized to investigate and prosecute Intellectual Property crimes through Oregon Revised Statute Chapter 647, Trademarks and Service Marks; Music Royalties. Several sections of the Oregon Revised Statute cover intellectual property crimes including specifically ORS chapter 647.135 trademark counterfeiting. Several sections of the chapter make this conduct criminal including; ORS 647.140, Trademark Counterfeiting in the third degree, a Class A Misdemeanor, ORS 647.145, Trademark Counterfeiting in the second degree, a Class C Felony, and ORS 647.50, Trademark Counterfeiting in the first degree a Class B Felony.

Currently, the bureau enforces Intellectual Property Crimes (IPC) with the assistance of BJA FY 2011 IPC funding. In the past two years the bureau's White Collar Crime Detail (WCCD) has encountered cases of IPC with increasing frequency. Grant funding will allow for specialized training of three detectives as part of the newly created Intellectual Property Crime Enforcement Team (IPCET). Intellectual Property Crime investigations will be done as much as possible during the detectives' regular work hours but the supervising sergeant may authorize overtime as needed.

The Police Bureau anticipates the three IPCET detectives will work on IPC cases approximately 10 hours a week on overtime due to their regular WCCD caseload. The overtime project work is only possible with grant funding.

FY 2012 Intellectual Property Crime Enforcement Program Letter of Assurance  
Page Two

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The creation of the IPCET alone will not be successful without the availability and support of a dedicated Deputy District Attorney (DDA) to handle IPC prosecutions for the bureau. Multnomah County's funding/budgets have suffered more than the City's in the past four years. The Multnomah County District Attorney's Office had been able to retain several DDA's with Recovery Act grant money but that revenue source is at an end. The bureau's grant proposal provides funding for a 0.5 FTE DDA Level III for 12-months. The DDA is becoming an expert in IPC along with the detectives and will handle all IPCET cases presented for prosecution.

In order to effectively increase IPC enforcement, the City of Portland is asking for \$211,532 to fund the following for 12-months:

1. Expenses related to training and travel for members of the Intellectual Property Enforcement Team (IPECT);
2. Salary and fringe benefits for 0.5 FTE Deputy District Attorney Level III;
3. Overtime and allowable fringe benefits for IPCET Supervising Sergeant and Detectives; and
4. Internet provider subscriptions for two laptops, undercover cell phones and evidence funds for "buy money" to investigate IPC cases using the internet in an undercover capacity independent of City of Portland Internet Protocol addresses.

The IPCET's program work, including the work of the DDA, will not be a part of, or co-mingled with, the City's Edward Byrne Justice Assistance grant programs and the Project Safe Neighborhood grant in which the City is a sub-recipient.

The WCCD and IPCET have the structure, staffing, expertise and commitment to meet all goals stated in this proposal.

Thank you for your consideration of the City's grant proposal.

Sincerely,



Sam Adams  
Mayor  
City of Portland

c: Chief Michael Reese, Portland Police Bureau  
Commander Ed Brumfield, Detective Division, Portland Police Bureau  
Scott Marcy, Business Operations Manager, Multnomah County District Attorney's Office  
DeeDee Baldwin, Office of Management and Finance, Financial Planning Division

## Confidential Funds Certification

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This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of Justice Programs (OJP) *Financial Guide*.

Date 2/28/2012

Project Director's Name Sergeant Vic Dody

Project Director's Signature Sgt. V. Dody 26972

Grant Number BJA - 2012 - 3119

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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the manager shall request the item by completing the Request for Transfer of Unclaimed Property form. This form along with an inter-office memo justifying the need will be routed through channels.

Any property sold in undercover operations must be documented. The monies received will be forwarded to the City Treasurer through Fiscal within one working day, or as soon as practicable after the sale is made.

The Property Evidence Division (PED) will not be open to members to inspect the inventory of unclaimed property in order to select desired items. PED will maintain a list of requests for transfer of unclaimed property. Selection of items will be at the discretion of the PED manager or designee.

**Requests for Donating Surplus Property (660.20)**

City Code 5.36.010 allows the Police Bureau to donate surplus property to the State of Oregon Surplus Property Program, other public agencies, or to certified charitable organizations. City Code 5.36.010 provides specific rules and procedures that must be followed when donations are made. Unless otherwise determined by the Chief of Police, it shall be the policy of the Portland Police Bureau to donate items that are law enforcement related only to another law enforcement agency. A letter requesting the donation shall be prepared for the signature of the Chief of Police and addressed to, delivered to and signed by the Commissioner-in-Charge.

Bureau owned animals that are considered surplus and of no value to the City due to age and/or condition of the animal may be donated to individuals with approval of the Commissioner-In-Charge of the Police Bureau and the City Council, by ordinance.

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**660.30 EVIDENCE FUNDS USE**

Index: Title; Informant Funds

Refer: DIR 650.00 Search, Seizure and Inventories

DIR 652.00 Search Warrants

DIR 660.10 Property and Evidence Procedure

DIR 660.32 Agent/Informant Processing

DIR 660.33 Informants

DIR 1250.00 Use of Bureau Equipment

Bureau, RU and Member Responsibility

EFAR Witness Report (DVD)

Evidence Fund Accounting Receipt (EFAR) (DVD)

Evidence Fund Expense Report (EFER) (DVD)

Evidence Fund Withdrawal Form (Fiscal)

Loan Receipt (DVD)

Sample Master Balance Ledger Page (DVD)

Summarization of RU Evidence Funds Accounting (DVD)

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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**POLICY (660.30)**

The member/investigator is the primary user for all evidence funds available in the Bureau. As such, the member/investigator must maintain strict integrity in accounting for evidence funds (monies used to obtain evidence and/or information in the investigation of a crime). Ongoing consistent supervision of members and agent/informants (an individual working for a member in an undercover status) who disburse, use or receive evidence and informant funds is the critical factor in ensuring integrity and accountability. Supervision and responsibility begin at the member/investigator level, and continue throughout the chain of command.

- a. Funds may be used for the following purposes:
  1. Paying agents/informants for information.
  2. Purchasing items that will be used as evidence, develop suspects, further an investigation or lead to an arrest.
  3. Out-of-pocket, job-related expenses incurred when conducting an investigation.
  4. Out-of-town investigations that will not be reimbursed by the state or the District Attorney's (DA's) office.
  5. Rental of a vehicle or other equipment for a limited period of time (see DIR 1250.00 for guidelines).
- b. Funds may be used for the following only with approval from a RU manager.
  1. Disbursement to an informant or undercover operative in the form of a monthly retainer.
  2. Purchase of legitimate property on the open market for resale in furtherance of an investigation.
  3. Procurement of evidence, information, or recovery of property from crimes committed in other jurisdictions.
  4. Sending members to schools or seminars when reimbursement is fully expected. Authorization will be strictly limited.
  5. Provide lodging, meals, and/or travel expenses for victims or witnesses if the cost will not be reimbursed by city, state or other sources. (The victim or witness must be needed to further an investigation, or his/her safety must be in immediate jeopardy because of assistance to the Bureau, which makes it necessary to provide temporary support pending disposition of the investigation.)
- c. Funds may not be used for:
  1. Purchasing miscellaneous equipment for an RU or members even though the intent is to use it for an investigation.
  2. Travel and living expenses not directly related to a case under investigation.

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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**PROCEDURE (660.30)**

**Obtaining Evidence Funds (RU Level)**

- a. RU managers (or designees) are authorized to make evidence fund draws against City Evidence and Information Funds and/or other funds which may become available from federal, state, or other sources.
- b. Actual cash fund draws will be made through the Fiscal Services (Fiscal). These draws require authorization from the Chief of Police or applicable Branch chief.
- c. RUs not having evidence funds available may receive funds from another RU (as outlined in Disbursal of Funds).

**Funds: Security & Access (660.30)**

- a. All funds will be secured in a cash box within the locked RU safe. A separate cash box will be used for each fund if there is more than one source available.
- b. Access will be controlled by the RU manager who may designate key members who are authorized to issue and turn in funds. These individuals will also have access to the Agent/Informant Moniker file. A current list of key members will be maintained by each RU in their administrative files.
- c. Safe combinations will be changed when the RU manager or key members are transferred from the RU.
- d. Expenditures will be authorized by the RU manager or designee before funds are distributed. The funds are to be used for criminal investigation with expenditures verified by documentation, receipts (where possible), and monthly Evidence Fund Expense Reports (EFERs).

**Disbursal of Funds (660.30)**

- a. A supervisor assigned to or responsible for the RU considering disbursal of funds will review the request for funds prior to disbursal using the following criteria:
  1. Proposed use of the funds.
  2. Reliability/effectiveness of informant (if one is involved).
  3. Legality of the operation (basis for search warrant, evidence buy, etc.).
  4. Amount of funds requested.
  5. Projected return on investment.
  6. If various funds exist, which fund will be used, and if the request fits the use criteria for that fund.
- b. Master Balance Ledger.
  1. A bound ledger book used to record all information and transactions relating to a single fund.



Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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2. Used to record all information related to draws, returns, issued funds, dates and purposes. Columns will be set up from left to right in the following manner:
  - a) Item #1 (Date) Date of transaction.
  - b) Item #2 (Name/Purpose).
    - 1) Printed full name and I.D. of member receiving funds, returning funds, or adding a draw from Fiscal to the fund.
    - 2) Printed brief summary of how funds are to be used. Case numbers and agent/informant numbers are to be included when appropriate.
    - 3) Signature and I.D. of member receiving funds, returning funds or adding a draw to the fund.
    - 4) Rank, signature, I.D. of supervisor reviewing the disbursement or return.
  - c) Item #3 (Credits): Dollar amounts of draws from Fiscal or returns (added to the fund).
  - d) Item #4 (Debits): Dollar amounts of funds issued to a member (subtracted from the fund).
  - e) Item #5 (Balance): The fund balance after the transaction.
3. Before a member signs for receipt of funds, both the member and the issuer are responsible for ensuring all information regarding the transaction is correct and the transaction is properly recorded in the member's EFER.
4. Entries will be made in ink in chronological order. The Master Balance Ledger will be balanced and closed the first day of the month.
5. When funds are used for schools/seminars and reimbursement is expected in a different calendar month, an entry will be made indicating the funds are accounted for on the member's EFER as carryover until the funds are reimbursed.
6. The ending balance from the prior month will be reconciled. The balance will be moved to the top of a new page and used as the beginning balance for the new month (except when starting or ending a Master Balance Ledger where starting or ending balance will be zero).
- c. Evidence Fund Expense Report.
  1. An EFER will be maintained by each member/investigator who uses evidence funds.
    - a) The EFER is used to account for all funds used by the member/investigator in a calendar month.
      - 1) Unused funds will be returned prior to the end of the calendar month in which the funds were drawn.
      - 2) Funds being used in an investigation or that will be returned by another person or agency after the end of the month may be

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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- shown as carryover on the member's EFER each month until turned in. An RU manager may make other exceptions regarding carryover funds, as necessary.
- 3) In the event of a carryover, an explanatory inter-office memo will be written to the RU manager and attached to the monthly EFER.
  - 4) Carryover of funds into a new month is to be strictly limited.
- b) All entries will be done in ink.
2. Information included on the EFER:
    - a) Date of draw/expenditure.
    - b) Case number, where applicable.
    - c) Location/Property Receipt number - location of transaction, (i.e., office in the case of a draw, street address in the case of a payment; and Property Receipt number when applicable).
    - d) Transaction Description.
      - 1) Draw/payment/return information - informant number, EFAR (report, in triplicate, used for detailing informant payments) number, reason for expenditure, etc.
      - 2) Supervisor's signature and I.D. for all draws/returns to the fund.
    - e) Credit: Monies added to the member's balance (amount drawn from evidence fund).
    - f) Debit: Monies subtracted from member's balance (monies spent by member).
    - g) Balance forward: Member's balance after the transaction.
  3. The white copy of the EFER (with the pink copy of all pertinent EFARs and the EFAR Witness Form) will be turned over to the supervisor by the end of each calendar month. The yellow copy is for the member/investigator's records and will be kept for three years.
  - d. Evidence Fund Accounting Receipts.
    1. Members, regardless of RU, will use an EFAR for recording agent/informant transactions.
      - a) All applicable sections of the receipt will be completed.
      - b) All agents/informants receiving evidence fund monies will sign the EFAR using their moniker.
    2. A minimum of 60% of all EFAR payments will be witnessed by another member, with at least 25% by a supervisor. A list of all EFARs will be compiled on an EFAR Witness Form.
    3. Payments over \$250 will be witnessed by a supervisor (this does not include buy payments).
    4. Part 1 (the original white copy) is given to the member's supervisor on the same day the funds are disbursed. This copy will be kept in the

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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- agent/informant's product/activity file.
5. Part 2 (the pink copy) will be retained by the member until the end of the month, and attached with the EFAR Witness Form to the monthly EFER as part of the required documentation.
  6. Part 3 (the yellow copy) may be retained by the member for their files. In the event the member should no longer wish to keep the yellow copy, it will be destroyed by such means provided for the destruction of sensitive information.
- e. EFAR Witness Form: Provides the member's monthly total of EFARs and the percentage of EFARs witnessed. This completed form will be submitted by the member with the EFER.
- f. Disbursal limitations.
1. Funds disbursal is limited to the following amounts unless a supervisor pre-approves exceeding the expenditure limit:
    - a) A supervisory sergeant may approve up to \$500.
    - b) A lieutenant may approve up to \$2,500.
    - c) An RU manager may approve up to \$5,000.
    - d) Amounts over \$5,000 must be approved by the appropriate Branch chief or the Chief of Police.
  2. Flash-roll funds used as show money, with the expectation of full recovery and immediate return to the fund, may be authorized by an RU manager in an amount limited to \$50,000. Use of the amounts over this limit must be approved by the appropriate Branch chief or the Chief of Police. Flash-roll amounts will always be returned to the RU safe prior to the end of the shift, unless prior approval has been obtained from a RU manager.
- g. Issue of funds to other RUs: Funds may be disbursed to members of other RUs where evidence funds are not available, or outside agencies using the following criteria:
1. Members seeking funds must have approval from a supervisor regarding necessity and use of funds for an investigation.
  2. If a supervisor agrees funds are necessary, the supervisor will contact the RU having available funds or responsibility for the crime/investigation, which is being pursued, and request the funds.
  3. A supervisor of the disbursing RU will evaluate the request and disburse the funds within the guidelines of this directive and any applicable RU SOP.
  4. Members of all units and outside agencies that receive funds will be required to account for those funds at the end of the month.
  5. An EFER book will also be issued when funds are disbursed to a unit or outside agency that does not have evidence funds. The individual expending the evidence funds will be responsible for completing the

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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report, and returning it to the issuing RU by the end of the month or explain the carryover by memorandum.

6. All loans to RUs or outside agencies are to be strictly limited. All reimbursements and loans will be accompanied by the Loan Receipt Form. The RU or outside agency receiving the loan will be responsible for completing an EFER, and will include the Loan Receipt Form.
- h. Unexpected return of funds.
  1. When an unexpected return of funds occurs (i.e., from a defendant by court order, insurance company, other police agency, etc.) and the funds were written off in a prior month, the return will be treated as new funds, and processed as follows:
    - a) A check will be made out to the City of Portland, Bureau of Police, with the name of the RU and the name of the evidence fund on the memo line.
    - b) The member receiving the check will write an inter-office memo to the RU manager detailing who the check is from, amount, reason for return, case number(s), subject(s) involved in the case and any other pertinent information.
    - c) Two copies of all documents will be obtained. The first copy set and the check will be delivered to Fiscal for deposit to the General Fund. The second copy set will be retained in the RU files.
    - d) Exception: Funds expended on an investigation that will be reimbursed by another agency (i.e., Regional Organized Crime Narcotics Task Force, or ROCN) will be treated as an expected return and will go directly to the RU's evidence fund. Example: ROCN agrees to fund up to \$5,000 for a narcotic investigation that Drugs and Vice Division (DVD) is running. DVD expends money from their evidence fund for the case and then submits a bill to ROCN for reimbursement. The money from ROCN is then added to DVD's evidence fund as an Expected Return. A memo is added to the monthly accounting packet detailing the transaction.
  2. When an unexpected return of evidence funds occurs from an agent/informant who, for any reason, did not use the funds as directed, the member receiving the money will complete an inter-office memo detailing who the money is from, the amount, the reason for the return, case number(s) involved, subject(s) involved in the case, and any other pertinent information. Funds recovered from defendants will be processed as evidence. The memo and funds will be delivered to the RU accountant, who will add the money back to the evidence fund and record the return to the Credits column of the Master Balance Ledger. The RU accountant will also attach a copy of the inter-

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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office memorandum to the accounting packet behind the RU draw receipts.

**Property and Evidence – Disposition and Handling (660.30)**

- a. Any property or evidence acquired with evidence funds will be processed through the Property/Evidence Division (PED) and/or Crime Lab, as appropriate (refer to DIR 660.10).
- b. The Property/Evidence Receipt number(s), listing the item, will be noted on the member's monthly EFER.
- c. Evidence funds recovered during the course of an investigation will not be placed in the Property Room.
  1. Photocopies of the money, initialed and dated, will be placed in the Property Room as evidence.
  2. The actual evidence fund money will be returned to the appropriate fund.
  3. Any reports written will reflect the above listed information.
- d. Property legitimately purchased with evidence funds for resale in furthering an investigation will be accounted for in the following manner:
  1. A RU will maintain an inventory listing each piece of property and the following information:
    - a) Purchase date and price.
    - b) Date sold and price received.
    - c) Location of property.
    - d) Name of defendant(s).
    - e) Case number(s).
    - f) Disposition of case(s) and property.
  2. The property must be secured in a locked facility in or near an RU, or may be temporarily placed in the Property Room.
  3. If the property is recovered and it may be resold again in continuance of an investigation, it will be returned to the inventory list.
  4. Should money other than the City's Evidence Funds be used to purchase property, all restrictions or requirements that apply to that funding source will be considered before disposal of the property occurs.
  5. Property no longer necessary will be released to PED for disposal. If the property is sold, a City ordinance is required for the RU to recover the proceeds of the sale.

**Responsibilities (660.30)**

- a. Members/investigators will:
  1. Familiarize themselves with all sections of this directive and DIR's 660.32, 660.33, 650.00 and 652.00.
  2. Document all evidence fund draws and expenditures on the monthly

Additional Attachments - Attachment #4,  
PPB Directive 660.30 - Evidence Funds Use

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**POLICY AND PROCEDURE**

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EFER.

3. Keep their supervisor constantly informed regarding use of funds and problems and/or results regarding funds.
- b. Supervisory sergeants will:
  1. Closely supervise assigned members to ensure the proper use of funds, completeness and correctness of EFARs (with Witness Form) and monthly EFERs (returned for correction if necessary), legality of operations, and informant productivity.
  2. Ensure an explanatory memo is written to the RU manager detailing any extraordinary occurrence in evidence fund usage (i.e., carryovers, unexpected returns, corrections to prior months, etc.).
  3. Sign and forward the completed monthly EFERs to the RU lieutenant.
- c. Lieutenants will:
  1. Review a sergeant's supervision of assigned members to ensure proper use of funds, EFARs, EFAR Witness Forms, monthly EFERs and legality of operations.
  2. After review/approval, forward the above forms to the RU accountant, on or before the 10th of the following month.
  3. When filing EFARs (white copy), check signatures against the agent's signature exemplar; immediately advise the RU manager of any questionable signatures.
  4. Routinely review individual informant performance compared to payments received.
- d. RU accountants will:
  1. Balance the Master Balance Ledger monthly with the cash on hand in the safe. Immediately notify the RU manager if a discrepancy is discovered.
  2. Balance the Master Balance Ledger in the following manner:
    - a) On the first day of the new month, excluding holidays, close out and balance the Master Balance Ledger.
    - b) Count the cash on hand. The total must agree with the total shown in the Balance column of the ledger.
    - c) Enter the ending balance from the Balance column at the top of a new page as the beginning balance for the new month.
    - d) Double check the ending balance accuracy by:
      - 1) Totaling the Credits column.
      - 2) Adding that total to the beginning balance shown at the first of the month being accounted for, to get a sub-total.
      - 3) Totaling the Debits column.
      - 4) Subtracting the total Debits amount from the sub-total. This amount will equal the ending balance.

Additional Attachments - Attachment #4,  
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**POLICY AND PROCEDURE**

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5) Example:

Beginning Balance	\$1,234.58
Evidence Fund Draw (Fiscal)	\$5,000.00
Unexpected Returns	\$0.00
Returns	<u>\$1,000.00</u>
Sub Total	\$7,234.58
Issued Funds	\$1,500.00
Ending Balance	\$5,734.58

6) When reconciled, sign with rank, name and I.D.

7) Should the ending balance or cash on hand not agree with the total shown in the Balance column:

(a) Recount the cash on hand.

(b) Check the mathematical accuracy of each ledger computation.

(c) Check the data accuracy of each ledger entry.

8) If no balance can be reached, notify the RU manager immediately.

3. Upon receipt of the completed monthly EFERs, EFARs and EFAR Witness Forms from the lieutenant, check the reports for balance, documentation, completeness, and accuracy and obtain the appropriate information to complete the final evidence fund(s) accounting.
4. Complete the Evidence Funds Accounting Form to summarize information from the members' monthly EFERs.
5. Prepare the accounting packet after completing the monthly accounting. The packet will include the following:
  - a) Evidence Funds Accounting Form.
  - b) Copies of all Draw Requests.
  - c) Documentation of unexpected returns of funds that have been written off in prior months.
  - d) Members' monthly EFERs, in alphabetical order, with all required documentation attached (EFARs, EFAR Witness Forms, special explanations, etc.).
6. Submit the accounting packet to the RU manager no later than the 20th day of the following month.
7. File and maintain, by year and month, the returned accounting packet in a locked file cabinet for a minimum of five years.
8. Purge monthly summary packets, including forms and ledger, after five years.
- f. RU managers will:
  1. Have overall responsibility for supervision of evidence fund activities and effectiveness of all assigned members.
  2. Request monthly draws from the City Evidence Fund (or other autho-

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**POLICY AND PROCEDURE**

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- rized sources).
3. Ensure the Master Balance Ledger(s) is balanced monthly. This requires counting the cash on hand and checking the amount against the balance shown in the ledger. When reconciled, sign under the RU accountant's signature with rank, name and I.D.
  4. Ensure that periodic spot-checks of EFERs show total money draws and expenditures. EFER and cash on hand should match. Identify and ensure that key supervisory personnel verify spot-checks by marking their initials and date of spot-check in legible handwriting on the EFER.
  5. Review all monthly EFERs to ensure proper documentation, accuracy and completeness, returning the report to a lieutenant for corrective action if required.
  6. After determining the reports are correct, sign the accounting packet cover sheet and forward the packet to the respective Branch chief for review no later than the 25th day of the following month.
  7. Should a discrepancy occur in the monthly balance of RU evidence funds, draft a memo to be included in the accounting packet that describes the problem and all actions taken to solve and/or correct the problem.
  8. Ensure that the accounting packet, when returned, is filed by year and month in a locked file cabinet and retained for five years before it is purged.
  9. May authorize use of evidence funds for schools/seminars, when reimbursement is fully expected.
- g. Branch chiefs will:
1. Have the overall responsibility and accountability to the Chief of Police for evidence funds money expended by RUs assigned to their branch.
  2. Review the Evidence Funds Accounting Packet of assigned RU to ensure funds have been properly expended and accounted for, resolving any problems or questions, if possible.
  3. When satisfied that accounting packets are complete and accurate, sign the cover sheet of packets and return them to the appropriate RUs for filing.
  4. Maintain a copy of the cover sheets within their files.
- h. Investigations Branch chief will:
1. Arrange for a complete audit of all evidence funds at least once each year, in consultation with DVD. This audit will include pulling related investigative reports from the Records Division, and tracking these reports through the system. Audit results will be forwarded to the Chief of Police.



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**POLICY AND PROCEDURE**

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2. Arrange for random spot check/audit of funds at unscheduled times throughout the year, with special attention given to potential problem areas.
  3. Ensure that DVD assists units/divisions with training of current and new key personnel in evidence fund procedures.
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**660.31 RELEASE OF EVIDENCE – MONEY**

Index: Title

Refer: City Code 14C.20.040 Evidence Property  
Order for Property Release Form (PED)

**PROCEDURE (660.31)**

Funds held as evidence will be released to the claimant upon disposition of the case, in accordance with the guidelines of the City Code, Chapter 14C.20.040.

When money is no longer needed as evidence, the member responsible for the case will complete the Order for Property Release form and forward it to the Property Evidence Division (PED). Money worth less than \$100 or that has a value other than its face value (i.e., gold, silver and foreign coins) will be returned directly to the claimant through the regular PED release procedures. PED will advise the claimant of the release procedures and time frame involved.

The PED will deposit the funds of \$100 or more directly into the City of Portland General Fund bank account. The Order for Property Release form will be forwarded to the Fiscal Services Division (Fiscal) for preparation of a Payment Authorization. Bank receipts for deposits will be sent to Fiscal. Under no circumstances will claimants be directed to Fiscal, City Accounts Payable, or the office of the City Auditor for payment of the refund. Fiscal will mail a warrant (check) to the claimant(s). Exceptions must go through PED.

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