

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 3.5
	Effective Date: 04/23/05 Prv. Rev. Date: 02/08/21 Revised Date: 03/23/23
	Accreditation Standards: KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

3.5 INCIDENT REPORTS

3.5.1 POLICY

Timely and accurate incident report information is crucial for police operations in determining what types of crimes are being committed and where and when these crimes occur. These reports also help citizens recover property that may have been stolen and provide documentation needed for investigations, the identification of perpetrators, and subsequent prosecutions. It is imperative that incident reports be as complete and as accurate as possible. The Louisville Metro Police Department (LMPD) reports incidents according to the guidelines established by the Federal Bureau of Investigation (FBI) in its Uniform Crime Report (UCR) (KACP 26.5)/National Incident Based Reporting System (NIBRS) and those established by the Kentucky State Police (KSP). The Administrative Services Division Commander, or his/her designee, has the responsibility for the accuracy and completeness of reports submitted by the LMPD.

3.5.2 DUTY TO REPORT

Members will take an incident report for criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department. Offenses may be criminal and/or civil in nature. If an offense has a civil component, it does not relieve an officer from taking a criminal report. Whether the complainant knows the suspect is irrelevant and does not relieve the member from the responsibility of taking the report (KACP 17.5). Members will not tell the complainant to take out a warrant on the known suspect without first completing an incident report.

Members are not required to take a report from a complainant who is manifestly under the influence of alcohol or drugs. Members should advise the complainant to contact the LMPD when they are no longer intoxicated. This exception does not apply to incidents of domestic/dating violence and abuse, misdemeanor sexual assault, or felony assault.

When members respond to a criminal complaint and there is evidence of mutual violence or a mutual complaint, members will attempt to determine if one (1) party was the predominant aggressor or violator. The following factors may be considered when making this determination:

- The history of violence between the parties
- The degree of injury inflicted upon each person, keeping in mind that injuries may not be immediately visible
- Objective and testimonial evidence from the parties involved and other persons who are at the scene, including children
- Whether injuries were sustained through an aggressive act or self-defense
- The presence and level of fear of the parties
- Other factors the member may observe that, in their professional experience, may be relevant to the specific case

Members will make every effort to determine the predominant aggressor in mutual violence situations. If a member is unable to make this determination, he/she will consult with his/her commanding officer.

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3.5.2 DUTY TO REPORT (CONTINUED)

Members will follow the Uniform Incident Report Manual and/or the Records Management System (RMS) Manual for additional guidelines. The manuals instruct members on the types of offenses and procedures necessary to complete incident reports.

When completing an RMS report, members will never list the descriptions, names, or personal data of victims, witnesses, or informants in the public narrative of the report. Information contained in the public narrative is available to the public and/or the media and could put victims, witnesses, or informants at risk. Members will only place an individual's identity or personal information in the appropriate section of the incident report, as instructed in the manuals. Sensitive investigation information will be placed in the investigative narrative section of the incident report.

3.5.3 REPORTING REQUIREMENTS

The LMPD makes a record of every incident to which a member responds in any of the following categories:

- Citizen reports of crimes
- Citizen complaints (refer to SOP 2.10)
- Citizen requests for service when:
 - A member is dispatched
 - A member is assigned to investigate
 - A member is assigned to take action at a later time
- Criminal and non-criminal cases initiated by law enforcement officers
- Incidents involving arrests, citations, or summonses

Civil process documents are handled by the Jefferson County Sheriff's Office (JCSO).

Comprehensive reporting is necessary so that alleged events are recorded accurately and to protect the rights of LMPD members and citizens. A record will be made of actions taken by the responding member, whether the call is a request for service or self-initiated activity (refer to SOP 1.11). In many instances, the "report requirement" will be accomplished through the collection of information on audio tape and computer by MetroSafe (e.g. incident control number (ICN), disposition codes, etc.). A record will be made of all dispatched calls. This in no way relieves members from their responsibility to take a written report when the circumstances of a call/activity require one. When duplicate calls are received for a single incident, only one (1) report is required.

Reports will be completed in, but are not limited to, the following situations:

- Criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department
- To obtain information on an individual for the purposes of criminal investigation, identification, and crime prevention (refer to SOP 3.6)

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3.5.3 REPORTING REQUIREMENTS (CONTINUED)

- An incident involving a member that requires the completion of an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1).

Certain reports will be completed by members, as needed, while working in their respective division/section/unit. These reports include, but are not limited to, the following:

- Citations
- Incident reports
- Supplemental reports
- Field contacts
- Search warrants
- Mental Inquest Warrants (MIWs)
- Administrative Incident Reports (AIRs)
- Incident Command System (ICS) forms
- Parking citations
- eCrash reports
- eCitations
- Collision reports
- Collision investigations
- Vehicle damage reports
- After-Action Reports
- Citizen Stop Reports
- Crisis Intervention Team (CIT) forms

All officers receive a block of detailed instruction on the appropriate manner in which the reports are to be completed. This instruction occurs during the initial recruit training process. Other members who write reports are trained during their initial on-the-job training. In-service and roll call training concerning report writing may be conducted, as needed.

Information needed to complete the reports listed above, if necessary, includes, but is not limited to, the following:

- Name
- Address
- Date of Birth (DOB)
- Social Security Number (SSN) or driver's license number
- Contact number
- Email address
- Race
- Ethnicity
- Gender
- Charges, if appropriate
- Incident location
- Incident date/time

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3.5.3 REPORTING REQUIREMENTS (CONTINUED)

- Incident description
- Victim information and property, if appropriate
- Witness information, if appropriate
- Suspect description, if appropriate
- Arrest supplement, including property seized, if appropriate
- Clear, detailed narrative of the incident

All locations and types of incidents for service calls will be recorded by MetroSafe at the time the incident is initiated. Members will update MetroSafe of the location and type of incident, prior to clearing the call for service, in order to reflect the information on the report.

The RMS is the central repository for incident reports and investigative files. Due to the diversified responsibilities within the LMPD, it may be necessary to maintain photocopies of reports or files within each division/section/unit. The division/section/unit commander will specify which of these files are necessary for the successful operation of his/her division/section/unit. These records will be maintained within each division/section/unit until the case is closed, records are no longer necessary, or the commander, or legal requirements, dictate otherwise.

Records or case files no longer needed may be boxed for storage and housed at Metro Archives and retained pursuant to applicable records retention schedules.

3.5.4 HARDCOPY REPORTS

Hardcopy reports are handwritten or typed submissions of the Uniform Incident Report, which may be taken only during exigent circumstances (e.g. computer systems are down, mass power failures, etc.). JC-3 reports and missing person reports may be hardcopy reports only if the member does not have access to the Kentucky Open Portal Solution (KYOPS) or during exigent circumstances.

Reports which are not available electronically will be completed on the appropriate paper form.

3.5.5 ELECTRONIC INCIDENT REPORTS

The LMPD maintains an electronic RMS for all departmental incident reports. Members will take incident reports electronically, via the RMS. Incident reports will be completed electronically in the RMS, in accordance with the NIBRS User Manual, RMS help files, or the Criminal Law Manual (Blue Book). These manuals can be found on the LMPD Intranet. Click on the "Forms" link and double click on the "Manuals" folder. Members who are not assigned a mobile data terminal (MDT) should use a desktop computer.

A master name index is housed in the RMS. A unique **master record** number will be assigned electronically by the RMS for each specific person who is entered into the system. This number will be used each time that the person has an entry into the RMS. This will allow a criminal history to be maintained on each person who is arrested, cited, or listed on an incident report. If a name record exists for the person, business, or other entity,

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3.5.5 ELECTRONIC INCIDENT REPORTS (CONTINUED)

members should not create an additional record. If members find that a name is duplicated, they can send an email to Mark43help@louisvilleky.gov with the master name record numbers and the names that need to be merged.

Privacy and security measures for agency records will be in accordance with LMPD policies, local ordinances, and state statutes. Members are required to login to the RMS with their unique password. Temporary passwords are assigned to members who are requiring access to agency records by the Office of Civic Innovation and Technology (CIT). Members will call the CIT Service Desk at (502) 574-4444 for password assistance.

Members can access agency records 24 hours a day, seven (7) days a week, 365 days a year. If a member experiences a problem accessing these records, the member can call the CIT Service Desk at (502) 574-4444 for assistance, Monday through Friday from 0800-1600 hours. After these hours, an email can be sent to Mark43help@louisvilleky.gov to address the issue.

Incident reports must be completed as fully as possible by members prior to the end of their tour of duty. If a member is unable to complete an incident report in this timeframe, they shall notify their supervisor of the circumstances and complete the report as soon as practicable. Supervisors are responsible for reviewing and approving incident reports in their chain by the end of their next tour of duty. Once the report is approved by the supervisor, the LMPD Data Integrity Unit will review the report and conduct final approval. If there are any errors or suggested corrections, the report will be routed to the original member to adjust.

In the case of a major crime (e.g. homicide or death investigation), if the full report cannot be immediately completed, a preliminary report that contains basic required information will be submitted, with the submitting member routing the report to his/her supervisor for review. The basic preliminary report should contain the following:

- Report date and time
- Address of incident
- Incident type
- Investigating officer
- Brief narrative stating the incident is being investigated and information will be added when findings are completed.

Preliminary reports for major crimes should not be released to the public until the investigation is complete or the Major Crimes Division Commander gives his/her approval for release.

The report may be updated using supplemental reports (refer to SOP 3.5.7). This report is now "Locked" and cannot be edited. The incident report can only be unlocked with the approval of the Records Management Director. Additions and changes can be made to this incident report using supplemental reports.

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3.5.6 OBTAINING REPORT NUMBERS

A unique ICN will be assigned by the **Computer Aided Dispatch (CAD) system**, either through the member's MDT or MetroSafe. This unique number will be used for the incident report and all supplemental reports associated with the incident.

When a member completes a hardcopy version of the Uniform Incident Report, he/she will request that MetroSafe assign an ICN. This number will be placed on the appropriate Uniform Incident Report forms.

When a member completes an electronic version of an incident report, he/she will obtain an ICN from his/her MDT, via the Mobile for Public Safety (MPS)/**Mobile CAD**, or request that MetroSafe assign one. This number will be used for all supplemental reports for this incident.

If a member receives an ICN and it is not used, he/she will send an email to "LMPDVoidedReports," located within the department's email distribution list. The email should include the ICN and the reason for the incident number cancellation.

3.5.7 SUPPLEMENTAL REPORTS

Supplemental reports must include the original ICN. It may be necessary to complete an additional narrative form to explain the changes and/or additions.

A supplemental report is used to:

- Provide corrected data to a previously submitted report.
- Provide a means of appending information to an original report.
- Finalize the case status by indicating disposition when the case status is closed or cleared.

Supplemental reports require the same approval process as incident reports. To submit the supplemental report for approval, the level needs to be approved by the **member's supervisor**.

The Data Integrity Unit either rejects the report for correction or conducts final approval.

3.5.8 CLEARANCES

Cases may only be cleared in the following manner:

- **UNFOUNDED:** The incident did not occur. A full explanation must be provided in the narrative.
- **ARREST:** When any offender involved in the incident has been arrested, summoned, cited, or otherwise arraigned.
- **CLEARED BY EXCEPTION:** In order to clear an incident by exception, the following four (4) conditions must be met:
 - The investigation must have clearly and definitely established the identity of at least one (1) offender (e.g. name, race, sex, DOB);

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3.5.8 CLEARANCES (CONTINUED)

- Sufficient probable cause must have been developed to support charging and prosecuting the offender;
 - The exact location of the offender must be known so that an arrest may be made; and
 - There must be a reason outside the control of the officer that prevents the arrest (e.g. prosecution declined, victim refused to cooperate, extradition declined, death of perpetrator).
 - Special Victims Unit (SVU) Only: Sexual assault victim requests exceptional closure. This may be used by SVU detectives and supervisors only.
- **INVESTIGATION COMPLETE:** All possible leads have been exhausted.

3.5.9 SUBMITTING REPORTS

Electronic incident reports will be Incident Based Reporting (IBR)-validated and approved **by a supervisor**. **Members must complete reports by the end of their** tour of duty, unless a delay has been approved by the member's **supervisor**. These reports must be completed in accordance with the NIBRS User Manual, RMS help files, or the Criminal Law Manual (Blue Book). These manuals can be found on the LMPD Intranet. Click on the "Forms" link and double click on the "Manuals" folder. If the report will not be IBR-validated and the member has exhausted all means of correcting the error(s), an email can be sent to Mark43help@louisvilleky.gov with the report number, the member's name, and the issue that he/she is having. A Records Supervisor will contact the member with instructions for correcting the issue. In addition, the LMPD Service Center can be contacted at (502) 540-3262 for assistance with any errors on the report.

In extraordinary circumstances, the use of hardcopy incident reports may be approved at the discretion of the Assistant Chief of Police/Administrative Bureau. Hardcopy incident reports will be completed and forwarded to the Data Resolution Unit by the end of the member's tour of duty, unless a delay has been approved by the member's **supervisor**. Only original reports may be sent to the Data Resolution Unit. The ICNs being cleared by an arrest should be listed in the ICN section of the Kentucky Uniform Citation and a copy of the citation will be forwarded to the Data Resolution Unit.

Once a month, Records Management submits crime numbers to the KSP, who will forward these numbers to the FBI. The guidelines for submission are provided by the KSP. The crime numbers submitted to the KSP are exported from the RMS.

3.5.10 REVIEWING REPORTS

Reports submitted electronically, Monday through Friday, during normal business hours, to the Data Integrity Unit, will be approved within 48 hours of receipt. Reports submitted on Saturday and Sunday will be approved within 72 hours of receipt.

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3.5.11 STATUS OF REPORTS

Members will follow the UCR/NIBRS guidelines when closing reports. Initial reports are considered closed in the following circumstances:

- When an arrest is made;
- When the offense is not prosecutable; or
- When the offense is unfounded.

Supplemental or follow-up information is not required unless the investigating officer or the complainant desires to add additional information at a later date. The clearance of a report will be made on the original, at the time that the report is taken, or on a supplemental report. If the case status is being changed on the original report, a supplemental report will be completed which documents the reason that the case status is being changed.

Reports for which the officer has not been able to apprehend the perpetrator require a supplemental or follow-up report. This report will be entered into the RMS by the investigating unit within 10 to 15 days from the original entry date. The supplemental report will include the original RMS incident number that was assigned when the incident was first entered into the RMS.

3.5.12 RETURNED REPORTS

The Data Integrity Unit may return a report to the reporting member for correction. The Data Integrity Unit can reject an incorrect report for correction. The Data Integrity Unit will reject the report through the RMS and will send an email to the reporting member, **their lieutenant, and their sergeant**, detailing what needs to be corrected on the report. The reporting member will correct the report and **resubmit** it to the Data Integrity Unit. If the reporting member is unavailable, the member's **supervisor** will correct the report and **resubmit** it to the Data Integrity Unit. Corrected reports will be forwarded to the Data Integrity Unit as soon as possible, but no later than seven (7) days from the returned date.

All members who are responsible for submitting, reviewing, or approving reports or supplemental reports will **login to the RMS** once per tour of duty and approve or fix errors on any reports that are **waiting their action**, as needed.

3.5.13 DISTRIBUTION OF REPORTS

Reports are stored electronically in the RMS. Members, with access to the RMS, may access appropriate records, for official business, using their **login credentials**.

For accident reports or incident reports requested by the public, citizens may obtain these either from the LMPD Central Records Unit, located at 701 West Ormsby Avenue, Suite 001, or online, via the LMPD website, following set criteria.

In accordance with KRS 189.635(8), a news-gathering organization seeking to obtain copies of accident reports is required to sign and submit documentation verifying that it meets the following statutory requirements:

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3.5.13 DISTRIBUTION OF REPORTS (CONTINUED)

- A newspaper or periodical is considered a news-gathering organization if it:
 - Is published at least 50 of 52 weeks during a calendar year;
 - Contains at least 25% news content in each issue or no more than 75% advertising content in any issue in the calendar year; and
 - Contains news of general interest to its readers that can include news stories, editorials, sports, weddings, births, and death notices.

- A news-gathering organization does not include any product or publication:
 - Which is intended primarily for members of a particular profession or occupational group; or
 - With the primary purpose of distributing advertising or of publishing names and other personal identifying information concerning parties to motor vehicle accidents which may be used to solicit for services covered under Subtitle 39 of KRS Chapter 304.

Accident reports will be made available to a news-gathering organization, solely for the purpose of publishing or broadcasting the news.

Citizens may obtain criminal history reports (e.g. background checks) **in-person** from the Administrative Office of the Courts (AOC) in Frankfort, Kentucky. **Citizens may also receive obtain a criminal history report online at the following link:** <https://kycourts.gov/AOC/Information-and-Technology/Pages/Background-Checks.aspx>.