

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

NUMBER: 03.07.00  
SUBJECT: SUBPOENAS  
EFFECTIVE: FEBRUARY 4, 2002  
REVIEW: FEBRUARY 2004, 2006, 2008, 2010, 2012

1. PURPOSE. As attendance at a court or quasi-judicial hearing as required by subpoena or departmental order is an official duty assignment, it is essential that the department have an effective system in place to receive notification of court appearances and furnish department members with subpoena/departmental order information.
2. POLICY. It is the responsibility of department members receiving notice of subpoena to provide such information to Records personnel. Records personnel will keep and maintain a subpoena database of those subpoenas and departmental orders received. Records personnel will notify department members of subpoenas/departmental orders received via the city of Beaverton's electronic mail system.
3. ACCEPTANCE OF PERSONALLY SERVED SUBPOENAS. If the department member being served a subpoena is unavailable to accept it personally, service of subpoena is to be made upon the patrol sergeant on duty. In the event the patrol sergeant is otherwise engaged and cannot accept service, service of subpoena may be made upon the following, in the order listed: CID sergeant, any on duty lieutenant, on duty captain. Whoever accepts service of subpoena also assumes responsibility for providing the subpoena to the Records Division for entry into the database.
4. NOTIFICATION TO RECORDS OF SUBPOENAS RECEIVED. Department members receiving subpoenas personally are to provide a copy to Records personnel. The recipient of the information within the Records Division will take responsibility for entering it into the subpoena database on the date received. It is the department member's responsibility to appear at the time and date indicated on the subpoena, or to obtain the necessary permission to disregard the subpoena.
5. DATABASE MANAGEMENT. Records personnel will enter all subpoenas and departmental orders that have been received for department members as a result of their performance of official duties into the subpoena database on the date received. This is to include notices of cancellation and changes in court and quasi-judicial dates and/or times.

- A. NOTICE. It is the responsibility of the individual within the Records Division, who has entered the subpoena/departmental order into the subpoena database, to notify the department member(s) named in the subpoena or departmental order that such notice has been received. The notification will be sent directly to the department member via the city of Beaverton's electronic mail system immediately following entry in the department's subpoena database. If Records personnel deem that a department member would not be able to read an e-mail notification in a timely manner, they will initiate verbal notification procedures, which will be recorded in the subpoena database.
  
- B. READ RECEIPTS. All e-mails issued by Records personnel notifying department members of subpoenas or departmental orders will include a message option requesting a read receipt. Department members receiving such notification are required to open their message, by double-clicking on the e-mail within Microsoft Outlook, at which time the Records Division will be notified that the message has been read and accepted. If an e-mail notifying a department member of a subpoena or departmental order is not read within the 36 hours preceding the scheduled court/hearing time, Records personnel will send an electronic message to the individual's supervisor.
  
- C. RESPONSIBILITY OF DEPARTMENT MEMBER. Once the message has been opened, it is the responsibility of the department member to appear at the time and date indicated on the subpoena or departmental order, or to obtain the necessary permission to disregard the subpoena. The department member also has the responsibility to advise his or her supervisor of the court/hearing date and time.

6. BACKUP PROCEDURE. If the city's electronic mail system is inaccessible because of system difficulties for an extended period of time, Records personnel will record incoming subpoenas/departmental orders in the subpoena logbook. Notification will be sent to all supervisors indicating that the subpoena logbook has been activated. Officers will then be required to sign in the subpoena logbook for their subpoena/departmental order.

---

Chief of Police

---

Date