

**POLICY  
345**

**EFFECTIVE  
DATE  
5-05-11**

# Eugene Police Department



The original policy (dated 031111) was modified via Command Directive CD11-003. Modifications were made to 345.2 – Probable Cause (PC) ATL.

## Attempts to Locate

### 345.1 PURPOSE AND SCOPE

This policy outlines categories of attempts to locate persons or vehicles, and procedures for documenting them. Officers are to take reasonable investigative steps to locate the person(s) or vehicle(s) of interest before entering an ATL unless there is a reasonable need to enter the ATL before such steps are taken.

### 345.2 CATEGORIES AND PROCEDURES

(a) An attempt to locate (ATL) will be categorized as one of the following types:

Probable Cause (PC) ATL: This type of ATL will be issued when the investigating officer has developed PC to arrest a named suspect but cannot locate him/her. This type of ATL should have an original signed PC affidavit attached that has been reviewed by a sworn supervisor. Care should be exercised to use the proper affidavit form designed to delineate Probable Cause that is not associated with a custody. This Affidavit can be found in the same locations as the ATL form. The PC affidavit should be written in first person and notarized. If the requesting officer is not available at the time the suspect is contacted, the arresting officer will refer to the information from the report and original PC Affidavit, attach that affidavit as an Exhibit and complete a PC Affidavit (specifically designed for use when an arrest is made) with first person information to support the arrest. Both affidavits must be signed and notarized.

Reasonable Suspicion ATL: This type of ATL would be used when an officer has reasonable suspicion to stop the person and make an inquiry. An example may be a theft of gas but the suspect is not known. An ATL may be placed for the vehicle to determine who the driver is. The length and scope of the stop must be appropriate to the circumstances of the ATL and the involved offense.

Investigative ATL: This type of ATL will be issued when there is no PC or reasonable suspicion. The officer must get voluntary compliance for the subject to be interviewed. An example would be an ATL for a possible witness.

- (b) The ATL will be documented by the requesting officer on the appropriate ATL request form, and must be approved by a sworn supervisor. The fact that an ATL was requested will be included in the applicable police report (e.g., incident report, supplemental report).
- (c) AIRS entry will be made using the involvement type "ATL."
- (d) The ATL must indicate the name(s) of the requesting officer(s), and contact parameters for the officer(s) (e.g., working hours only, 24/7), and must contain instructions as to what the locating officer should do.
- (e) If a subject of an ATL is contacted and the requesting officer is not available, the contacting officer should follow the instructions for the ATL, and at a minimum attempt to obtain future contact information for the subject.

### **345.3 EXPIRATION**

- (a) An ATL will automatically expire at the end of the statute of limitations for the offense involved, but should be removed as soon as the need or justification for the ATL is gone. If the ATL does not involve a crime, the ATL will expire after six months.
- (b) A Probable Cause ATL will be reviewed every six months to determine if reasonable efforts have been exhausted to contact the suspect and the case should be submitted without the contact information or interview to the appropriate prosecutor for consideration of an arrest warrant application.
- (c) If the subject of the ATL is contacted, the ATL will be removed from the system.
- (d) A report of outstanding ATLs will be generated biannually. Each supervisor should review the ATLs from officers reporting to him/her and confer with the officer who issued the ATL, if necessary, ensure that the need for the ATL still exists.