

Police Reporting

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Since the beginning of time, man has communicated through various forms of writing. Writing has advanced from cave drawings to something that transforms a person's thoughts, experiences, and ideas to a form that can be preserved, studied, and viewed by others. History has shown that effective writing is essential to reach the intended audience. In 1776, Thomas Jefferson wrote a well known document, "The Declaration of Independence", in which he summarized the ideals of individual liberty that had been expressed by John Locke and the Continental philosophers. Jefferson set forth a list of grievances against the King in order to justify, before the world, the breaking of ties between the colonies and the mother country. (The National Archives, 2004)

Although police reports are generally on a considerably smaller scale than the Declaration of Independence, they are also extremely important documents. Mike Lepore, a writer for Crimsonbird.com, (2004) reported that on March 3, 1991, Rodney King was the driver of a car in Los Angeles, California, and Bryan Allen was a passenger in the back seat. The driver didn't stop when signaled by a police car behind him, but instead, he increased his speed. One estimate said that King drove at 100 miles per hour for 7.8 miles. When police finally stopped the car, they delivered 56 baton blows and six kicks to King in a period of two minutes, producing 11 skull fractures, brain damage, and kidney damage.

Lepore further reported that the officers, unaware that the incident had been videotaped, filed inaccurate reports, not mentioning the fact that Rodney King was left

with head wounds. As most people know from the news coverage, this inaccurate police reporting was the catalyst for numerous events. From this one incident, four police officers were indicted, and eventually two of those officers were convicted and sentenced to 30 months in prison. These events also led to six days of riots in Los Angeles, where 54 people were killed, 2,383 were known to have been injured, and 13,212 were arrested. (Lepore, 2004)

This one incident shows the importance of detailed, accurate police reporting. Although accurate reporting may not have changed the outcome for the officers, many believe that quick, decisive disciplinary action against the officers would have deterred the resulting riots.

This paper will cover three different aspects of report writing. We will begin by taking a look at what a police report actually is, and why these reports are such an important aspect of our jobs. Next, we will cover in detail the information that must be contained in the report and how this can assist with information gathering. Finally, we will look at different reporting formats used across the country by various agencies. The report format, primarily the narrative format, will be the main focus of this paper.

Although there is no distinct “right way” to complete a police report, I will present some methods that are beneficial to not only the officer, but everyone relying on the report.

Before we can understand the importance of the report, we must understand the importance of writing as a form of communication. In *Written & Interpersonal Communication*, Wallace and Roberson define writing as; a method of recording and communicating ideas by means of a system of visual marks. (Wallace, 2004)

Looking at this definition, notice that the first part is recording ideas. Writing is a permanent form of communication. The spoken word is gone from our senses as soon as it ends; whereas writing is a permanent record of our thoughts and ideas. Next, Wallace and Roberson point out that writing is a method of communicating. In writing there is one major disadvantage when compared to oral communication because there is lack of instant feedback. This prevents the writer's ability to correct, refine, or focus the information into a more understandable format. Finally, Wallace and Roberson point out that writing is a system of visual marks. This presents problems with written communication in the area of legibility and correct use of symbols. The writer's hand writing may be difficult to decipher, and symbols used by the writer could mean one thing to that person and another thing to the reader. (Wallace, 2004)

Another definition of writing, more specific to police reports, comes from *Painless Police Report Writing* by Joseph Davis. (2004) Davis writes, "Traditionally, a report meant a "police report" or narrative you have to write after completing an investigation. But, actually, reports take many different forms. A report is defined as the following: any documentation recorded on a departmental form, or other approved medium (computer disks), and maintained as a permanent record." (Davis, 2004)

Why We Need Police Reports

As police officers, we have a duty and responsibility to complete detailed, accurate reports on a daily basis. In many cases, police reports are used to limit or decline the same individual freedoms written about by Thomas Jefferson. In addition, as police supervisors, not only do we have to complete these reports, we also have the added responsibility of ensuring that subordinates complete their reports accurately and

correctly. Lt. C. Lee Bennett was quoted by Nicholas Meier in *Plain English for Cops* saying, “All reports need to be complete and accurate. Officers die slow and agonizing deaths on a witness stand far more often than, thankfully, from some criminal’s gun or knife in ‘real’ life on the streets. They risk dire consequences when cutting reports short in a number of ways.” This point was illustrated earlier when talking about the Rodney King incident. (Meier, 1999)

What must be contained in the report?

It is important to point out that the type of cover or information sheet used by agencies varies, depending on several factors. Each agency must consider state law requirements, computer software programs, computer hardware limitations, and individual department head preferences. As an example, the cover or notes section of the Arkansas Motor Vehicle Collision Report form differs from the form used in the state of Texas for collisions. However, the narrative section for each state is the same. This section is used to report facts of the collision, no matter where they occurred. For that reason, I will focus more on the narrative format rather than the cover or information section of reports, which will be presented later in this paper.

Before we begin a discussion on the narrative formats, we must cover the most important aspect of police reporting. All police reports must first be factual. The integrity of the officer and the department is something that should never be questioned. This not only covers shading the truth by adding events that did not occur, it also means that nothing should ever be omitted from the report. As police officers, we have a duty and responsibility to report the truth. Even if that means that someone goes unpunished for their actions. Wallace and Roberson (2004) quote an unknown veteran prosecutor

telling a rookie police officer, “Every word that you write in your report, you must be able to justify in a court of law.”

One example that I have personally seen with regard to omissions is when an officer fails to report that a suspect passes one or more field sobriety test on a DWI arrest. Not only has the officer put his reputation at risk on paper, but he may be put in a compromising position on the witness stand.

Even though the format of the report may differ, the officer should use certain building blocks of information to insure that everything is included. These building blocks insure that the officer covers *who, what, when, where, why, and how* in each report.

In *Written and Interpersonal Communications* Wallace and Roberson (2004) explain the five “w’s” and the “h” in detail. They wrote that “who” is much broader than who committed the crime. Answering the question of who involves identifying the complaining party, the victim, the suspect, the witnesses, and any involved law enforcement personnel. This identification should include home and work addresses, telephone number, physical descriptions, and occupations when appropriate.

The officer must also cover the broad information covered by the query of what crime was committed. An example of some “what’s” are as follows: What evidence was obtained? What was done with any evidence? What agencies responded to the call? What agency has jurisdiction? What section or officers will conduct any necessary follow up investigation? (Wallace, 2004)

The question of “when” is more than the date, day, and time of the offense. Once the officer has answered the question of what persons were observed at the scene of the

crime, he must take this query further. He must then answer the following questions: When did they arrive? How long did they stay? When did they leave? Next, the officer must answer the question concerning when law enforcement officers arrive at the scene of the crime. They also need to report when the officer contacted the victim, the witnesses, or other parties and take their statements. Wallace, (2004)

The locations and activities of the police should also be carefully recorded. Where they interviewed victims, witnesses, and suspects will be important. Where they arrest the suspect may also be critical. If it was inside a residence, were they lawfully there? Where the evidence was collected, marked, and stored is important to follow up investigators. Thus, simply listing where the crime occurred is only the beginning of answering the query of *where*. (Wallace, 2004)

How the offense was committed is also very important for modus operandi files. What tools were used and how they were used are often critical pieces of evidence that may tie the offense to similar crimes. When answering the *how* question, the officer must report how it was discovered and how it was reported. The officer must also report how a victim was transported, how the suspect arrived and departed the scene, and how all witnesses happened to be at the location. How the officer identified the victim, suspect, and the witnesses, as well as how the officer located these individuals is also important information. (Wallace, 2004)

Finally, the officer must answer the question of motive, or *why* the person committed the crime. Traditionally, jurors and prosecutors want to know why the crime was committed; therefore, officers should attempt to answer this question if possible. Why was the offense reported? Was it for insurance purposes, to seek revenge, or for

other reasons? The officer should also report, if possible, why the suspect committed the crime in that manner and why the witnesses came forward. (Wallace, 2004)

Approaching report writing by using this method will ensure that there are no gaps or missing pieces of information in the report. Gathering this information is merely the first step in writing a complete report. Once the information is obtained, the officer must then organize it in a clear and concise manner.

Once the officer has gathered the necessary information, the next important step is to insure that the report is accurate, complete, and fair. Accuracy in a police report requires that it be written objectively. The officer must verify information contained in the report. An item as simple as the date, versus the day can be critical in a police report. (Wallace, 2004)

Completeness is a must in all police reports. The reader should be able to pick up any initial report and answer all the questions listed previously. However, although the report must be complete, the officer must not be so detail oriented as to confuse the reader. Therefore, completeness includes the principle of conciseness. The officer must learn when to leave information in the main body of the report and when to place it in a supplemental report. Likewise, the report should not be so lengthy and full of details that the reader must wade through the unimportant to find the useful information. (Wallace, 2004)

The last statement dealing with unimportant information is important with regard to others that must read and use the information in these reports. One solution for this problem will be presented later in the report formatting.

Finally, every police report must be completed in a fair and impartial manner. Doing so is difficult, but the officer must constantly keep in mind the obligation to be fair to everyone involved in the criminal justice system, including the suspect. Joe Friday of *Dragnet* fame is quoted saying, "Just the facts." This instruction also applies to report writing. Fairness in a police report requires combining accuracy and completeness to ensure that all relevant information is reported. The officer's credibility and reputation will outlive any single report; therefore, integrity should never be compromised on any case. (Wallace, 2004)

Report Formats

As stated earlier, the cover or information sheet used for a police report is dependent on several factors that must be evaluated by each agency. However, the narrative section of any report is basically the same. The narrative section is a blank portion of the report that the officer uses to clarify the cover sheet information. It provides a chronological history of the officer's involvement. (Wallace, 2004)

Joseph Davis writes that writing the narrative should be the easiest part of report writing. If you have properly taken notes and spent a few minutes organizing and planning, writing the narrative is almost anticlimactic. (Davis, 2004)

Historically, police training academies have taught new officers to write their narratives in chronological order. This meant that the officers would answer the common questions; *who, what, when, where, why, and how* in the order in which the event occurred. Even though the chronological method of reporting has been used effectively for many years, reports, like anything else, can also be improved.

Another method for police report narratives is an outline format. This method varies from the standard chronological report by steering away from the order of events and writing the report with the use of headings. These headings are used to break the report into an easy to read outline.

The Bentonville Police Department currently uses this type of format primarily for arrest report narratives. There are also advantages for using this format for incident and information reports. We will discuss those advantages later.

The Bentonville Police Department enacted a policy on August 20, 1998, regarding police reports. The policy outlined that police report writing is an extremely important function of police work. This policy noted that both the civil and criminal justice system frequently rely on police reports to provide detailed information about an alleged incident. One major change to the previous policy was the addition of specific guidelines and requirements for arrest reports. (Bentonville Police, 1998)

The arrest report policy addressed the need to standardize the format of completing these reports, by adding standard headings to document the activities of an arrest. These headings are as follows:

Source of Activity- This section of the report is used by the reporting officer to document his/ her reason for being at the location of the incident. (i.e.: On January 1, 1999 at approximately 0001 hours, I was dispatched to 123 "A" street in reference to a theft investigation.)

Observations- This section is used to describe the reporting officer's observations which lead to the arrest. The reporting officer should cover

such things as reasonable suspicion, search and seizure, use of force and any other acts providing probable cause for the arrest.

Arrest- This section is used to describe the reporting officer's actions at the time of arrest. In this section, the officer once again covers the justification for the arrest. (Pursuant to warrant #2004-00001, the suspect was placed under arrest.)

Statements- This section is used to summarize any formal statements made by the arrestee, witnesses, or victims.

Booking- This section is used to record the location of booking along with the charges and transporting officer.

Evidence- This section is used to recap previously mentioned seized property and indicate a disposition of the items.

Additional- This section is used to record any facts which are not included in one of the previously mentioned subtitles. (i.e.: towed suspects vehicle, passengers, etc.) (Bentonville Police, 1998)

Although this format is required for arrest reports, some of these same headings are beneficial for incident and information reports. When completing incident and information reports that require excessive information, the use of the headings assist the officer by insuring that all the information is obtained. These headings also assist the detectives and prosecutors by pointing out the different areas of the report, making the report quicker and easier to read.

During the research for this paper, I spoke personally with Bentonville Police Department Sgt. Jon Simpson (2004). Simpson explained that during his years as a

supervisor, he has reviewed hundreds or possibly thousands of reports. Simpson said that the use of this format makes his job easier by pointing out the important information. He said that even though he is still required to read the entire report for content, spelling, and grammar, he can locate the justification for an arrest without reading the entire report. He noted that civil liability for an unlawful arrest alone makes it imperative that the officers and supervisors know the justification for all arrests.

Simpson said that over the years, he found that many times officers fail to include crucial information about the probable cause for an arrest in the narrative prior to writing about the arrest itself. He said that this format forces the officer to spell out his actions in the “Observations” heading before writing about the arrest under the “Arrest” heading.

Simpson added that he believes this format helps the officers gather the information at the scene. He said that once an officer is trained and familiar with this format, he subconsciously knows what information is needed for the report. He said that with these headings in his mind, the officer easily remembers to ask questions to answer the *who, what, when, where, why, and how* under each heading. Simpson said he also believes that the most difficult part of writing anything is getting started. He said that with this format, the beginning of the report is clear.

In a personal conversation with the Bentonville, Arkansas, City Attorney, Camille Thompson (2004), she explained that the outline format has many useful benefits. Thompson said that the primary benefit is that this format reduces the amount of time needed to review reports before court. She explained that she is required to prosecute numerous cases weekly, and the number of cases alone, does not allow adequate time to completely read every arrest report.

Thompson said the outline format allows her to scan the reports and select the information needed to either, decline prosecution, offer a plea bargain, or prepare for trial. Thompson added that she prosecutes cases for several agencies, most of which still prepare their reports in the standard chronological format. She said that these reports require more time and attention to insure that the elements of the crime are present.

Over the past twelve years working as a police officer I have personally worked in patrol, training, criminal investigations, and I am currently assigned as a patrol supervisor. Through my experience, I have been assigned cases that required gathering information from other agencies. Many times these agencies still use the standard chronological format to prepare reports. When reviewing this type of report in conjunction with other investigations, frequently it is difficult to locate the needed information.

With any police report, there is information included that is needed but not necessarily important. As an example, an arrest report must include information about the disposition of passengers, vehicles, searches, and other information that do not relate to the elements of the offense. This information must be added to the report, but sometimes it can make it difficult to determine or locate the information that is important.

To emphasize these points, I have prepared a domestic battery narrative in both formats. The information is the same in each narrative. The first narrative is presented in the standard chronological format.

On Thursday, February 12, 2004, at approximately 1441 hours, Officer Tracy Brown and I were dispatched to 2100 SE Augusta Apt. #22 in reference to a 911 hang-up. Dispatch told me on the radio that a male was on the telephone stating that nothing was wrong.

Upon arrival, I knocked on the door, at which time I heard a male say, "Come in". I identified myself as a police officer and asked the male to open the door. The male, later identified as Robert Bradic, (B/M DOB 10-16-64) then opened the door. He then invited me inside the apartment. Once inside, I observed that Robert was sweating profusely. I asked him why he was sweating and he stated, "We were fighting".

At this point, Officer Brown arrived to assist. I asked Robert where the person was he was fighting with and he said that his wife was in the bedroom. I then went to the bedroom and knocked on the door while Officer Brown stayed with Robert. When Robert's wife, Vianney Bradic, (H/F DOB 7-27-73) opened the door, I saw that she was holding their eighteen month old child Ariel Bradic. After asking Vianney if she was injured, I asked how long she and Robert had been married. She stated almost six years. I then asked her to tell me what happened between them that led to the 911 call.

This is a brief summary of the taped interview with Vianney. She stated she and Robert were arguing about money problems. She said they both raised their voices during the argument and Robert hit her in the head with a pillow because she cussed at him. She said that she then threw the pillow at him. She said he then told her, "You're not going to hit me", and hit her on the back of the head with his fist. She said that after she was hit on the head, she threw a bottle of baby wash at him.

Vianney said that Robert then grabbed her by her arms and hair, and forced her to the floor. She said that Robert then began slapping her on the head. She said that when she was able to get up, she threw cassette tapes at him. She said that she then threw a metal strainer at him which caused him pull her by the hair force her to the floor once again. She said while she was on the floor he kicked her, however, she could not remember where on her body.

Vianney said that her head and her left arm were hurting from the altercation. She added that her son, Ariel, saw them fighting when Robert pulled her from the bedroom to the living room. She said Ariel became very upset and began to cry during the altercation.

While I was speaking to Vianney she was removing clumps of hair from her head that she claimed were loose from her hair being pulled. She also showed me her left bicep, where Robert reportedly grabbed her. On her bicep I observed redness and a small bruise that was purple.

During the investigation it was revealed that Robert had a valid warrant out of Benton County for Hot Checks, warrant #2003-1599, bond \$173.55. Based on the statement given by Vianney, her injuries, and the confirmed warrant, Robert was placed under arrest for Domestic Battery III and the warrant.

Robert was handcuffed, searched, and placed in the rear of Officer Brown's patrol car. He was then transported to the Bentonville Police Department.

Upon arrival he was advised of his rights. He agreed to speak with me without an attorney present. (See signed Bentonville statement of rights form). This is a brief summary of his taped interview. Robert commented he has high blood pressure and that was why he was sweating when I arrived. Robert said Vianney was angry today about her checking account. He said when they argue he catches her by the elbows to speak to her so she will listen. He said when he grabbed her elbows she started scratching him on the arms. I observed a small area where she scratched him on the right wrist, not large enough to photograph.

Robert said he "beat her" with a pillow; he then retracted that statement he said he better watch what he was saying and stated, "I hit her with the pillow". He said she then continued attempting to scratch and kick him in the groin. I asked him if he grabbed her by the hair. He said "I'm not calling you a liar, but I don't remember pulling her hair". He also said that they try to keep Ariel from seeing them fight

After being entered into the Bentonville Police Department computer, Robert was transported to the Benton County Jail to be held for a bond hearing on the battery charge and to be served the aforementioned warrant.

While at the police department, Robert was fingerprinted, (ATN 827783), and digitally photographed.

Next, I used the same information to complete a narrative using the headings format that is used by the Bentonville Police Department.

SOURCE OF ACTIVITY

On Thursday, February 12, 2004, at approximately 1441 hours, Officer Tracy Brown and I were dispatched to 2100 SE Augusta Apt. #22 in reference to a 911 hang-up. Dispatch told me on the radio that a male was on the telephone stating that nothing was wrong.

OBSERVATION

Upon arrival, I knocked on the door, at which time I heard a male say, "Come in". I identified myself as a police officer and asked the male to open the door. The male, later identified as Robert Bradic, (B/M DOB 10-16-64) then opened the door. He then invited me inside the apartment. Once inside, I observed that Robert was sweating profusely. I asked him why he was sweating and he stated, "We were fighting".

At this point, Officer Brown arrived to assist. I asked Robert where the person was he was fighting with and he said that his wife was in the bedroom. I then went to the bedroom and knocked on the door while Officer Brown stayed with Robert. When Robert's wife, Vianney Bradic, (H/F DOB 7-27-73) opened the door, I saw that she was holding their eighteen month old child Ariel Bradic. After asking Vianney if she was injured, I asked how long she and Robert had been married. She stated almost six years. I then asked her to tell me what happened between them that led to the 911 call.

STATEMENTS (VIANNEY)

This is a brief summary of the taped interview with Vianney. She stated she and Robert were arguing about money problems. She said they both raised their voices during the argument and Robert hit her in the head with a pillow because she cussed at him. She said that she then threw the pillow at him. She said he then told her, "You're not going to hit me", and hit her on the back of the head with his fist. She said that after she was hit on the head, she threw a bottle of baby wash at him.

Vianney said that Robert then grabbed her by her arms and hair, and forced her to the floor. She said that Robert then began slapping her on the head. She said that when she was able to get up, she threw cassette tapes at him. She said that she then threw a metal strainer at him which caused him pull her by the hair force her to the floor once again. She said while she was on the floor he kicked her, however, she could not remember where on her body.

Vianney said that her head and her left arm were hurting from the altercation. She added that her son, Ariel, saw them fighting when Robert pulled her from the bedroom to the living room. She said Ariel became very upset and began to cry during the altercation.

While I was speaking to Vianney she was removing clumps of hair from her head that she claimed were loose from her hair being pulled. She also showed me her left bicep, where Robert reportedly grabbed her. On her bicep I observed redness and a small bruise that was purple.

ARREST

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STATEMENTS (Robert)

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Robert said he "beat her" with a pillow; he then retracted that statement he said he better watch what he was saying and stated, "I hit her with the pillow". He said she then continued attempting to scratch and kick him in the groin. I asked him if he grabbed her by the hair. He said "I'm not calling you a liar, but I don't remember pulling her hair". He also said that they try to keep Ariel from seeing them fight

BOOKING

After being entered into the Bentonville Police Department computer, Robert was transported to the Benton County Jail to be held for a bond hearing on the battery charge and to be served the aforementioned warrant.

ADDITIONAL

While at the police department, Robert was fingerprinted, (ATN 827783), and digitally photographed.

As you can see from reading the two reports, the information is the same. The headings format, however, uses the bold headings to break the report into easily identified sections. When reading the first report, the reader must sift through numerous paragraphs to locate the important information. If the reader is the prosecutor and he or she only needs to know the probable cause for the arrest, the information is difficult to locate. While the headings format makes the probable cause for arrest clearly visible because it is written under the bold heading of “Arrest”.

If the reader is the supervisor in charge of reviewing and approving the report, he still must read the entire report checking the grammar and spelling. However, the supervisor’s ability to insure that all the needed content is present becomes easily identified when broken into different sections under the headings. This format also makes this information easily identifiable to other agencies using these reports during their follow up investigations involving similar crimes or the same offender.

The headings format also helps the officer insure that all the information is contained in the report. Additionally, the officer can quickly reference the report while on the witness stand to insure that his testimony is accurate.

As mentioned earlier, this format also works well with information reports and incident reports. Although, the Bentonville Police Department does not dictate in policy that this format must be used, many officers have found that a modified version of this format is very helpful in preparing these reports as well.

When conducting an investigation of a burglary, officers will use headings to point out different aspects of the investigation such as statements, evidence, or assisting

personnel. When these reports are assigned to a detective, that detective can easily identify specific information contained in the report.

In my experience in criminal investigations, I have learned that the reports using the headings format allowed me to identify quickly and accurately which offenses had the witness or evidence information needed to conduct a follow up investigation. This becomes very important to detectives who consistently have more than twenty cases assigned to them at any given time. This allows that detective to focus on solvable crimes rather than spend his time reading reports about crimes that have no leads and will probably never be solved.

Conclusion

When writing police reports, either arrest, information, or incident, there are many important aspects that must be addressed. When addressing the question of why police reports are important, there are many valid reasons. Primarily you should consider that these documents are used to limit or decline individual freedoms that men have fought and died for over for centuries. With new issues of criminal and civil liability arising daily, proper documentation by police is more important than ever. Police reports are the officer's way to document information that will be preserved, studied, and viewed by many different readers.

When the decision is made to complete a report, officer's must first cover the basic information; *who, what, when, where, why, and how*. When answering these questions, remember that they are not as basic as they appear. There are many different aspects to be reported under each of these queries.

Once the officer has the needed information, this information must be arranged in a manner that presents the information to the reader in a logical orderly manner. With this in mind, I pointed out that police reports have many different readers. Choosing the correct format to present the information is sometimes difficult. Through experience, conversations with other officers and supervisors, and conversations with prosecutors, it is clear that the use of headings works well for anyone reading these reports.

Important advice to any officer preparing a document that can and will be viewed by others for years to come is, “get it all, get it right, and write it clear”. When in doubt, refer to the old saying that could have likely been coined by an officer of the law: “If it’s not written down, it didn’t happen”.

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