TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS

TITLE: **Records**			NUMBER: **614**
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AUTHORITY: **Chief Antonio DeVaul**	Last Reviewed		TOTAL PAGES: **6**

01 Purpose: To define the Central Records function and requirements.

02 Policy: The policy of the Department is to ensure that records functions meet the management, operational and information needs of all employees. Responsibility and accountability for the Central Records component rests with the Administrative Services office, which documents all information pursuant to Federal, State and County laws, and local ordinances. Accurate reporting, review, control, maintenance, retrieval, and disposal of written and electronic reports are essential for the effective delivery of law enforcement services.

03 Central Records Functions: The records functions of Administrative Services include, but are not limited to:
* Report review
* Report control
* Records maintenance
* Records retrieval, and
* Records disposal.

04 The Comprehensive Reporting System:

A. As indicated in the Department's Communications Manual, every call for service will have a separate and distinct event number. Case numbers will only be assigned to events that require written reports. This applies to both officer-initiated calls as well as citizen calls for service. The event number will be computer generated by the Computer Aided Dispatch (CAD) system. This will prevent duplication or skipped numbers. When a previously investigated incident is being investigated again, the dispatcher will re-open the "old" case and assign the officer to it. Every incident in the following categories, alleged to have occurred in the city limits of Takoma Park, will be reported.

* Citizen reports of crimes,
* Citizen complaints,
* Citizen requests for services when: an officer is dispatched; an employee is assigned to investigate; an employee is assigned to take action at a later time,
* Criminal and non-criminal cases initiated by law enforcement officer, and,
* Incidents involving arrests, citations or summonses.

B. Reporting of less serious incidents may be satisfied by having Communications personnel record the following information in the CAD system:

* Date and time of initial reporting,
* Name (if available) of the citizen requesting the service, or the victim's/complainant's name,
* Nature of the incident, and,
* Date, time and nature of action taken (if any) by law enforcement personnel.

C. The Report Manual is located on the Montgomery County Intranet available on the mobile data computer. The manual describes and illustrates information to be included on report forms for all crimes and incidents.

05 Report Review and Distribution:

A. Once a report is written; it is reviewed and approved by the officer's supervisor. The report is then stored on the E Justice System (EJS) server.

B. Part one crime reports will be completed and approved on the same day of the incident. All part two crime and any other reports will be completed and approved by the last day of the officer's tour before his/her regular days off or leave. It is the responsibility of the reporting officer to notify his/her supervisor why a report will not be completed on time. If the report cannot be completed on time or is sent back to the officer for correction, **the shift supervisor will submit an e-mail to the Records Clerk and Patrol Commander alerting that the report has not been completed, and the reason for the delay**. If this occurs, the report must be completed and approved the first day the officer returns to duty, However, all vehicle impounds will be completed by the end of an officer's shift.

C. Evidentiary documentation, e.g., witness statements, video, DR15/DR15A, etc. will be identified and described in the report, but the originals of such documents, with proper CR number, will be placed in the mailbox of the Records Clerk in Administrative Services. The Records Clerk will then scan the documents and add them as attachments to the report in EJS.

D. The Records Clerk in Administrative Services will post the reports (with attachments) to the "R" Drive in its computerized Records Management System (RMS), which is accessible to members of the Department on a 24-hour basis.

E. The Commander of Investigative Services or designee(s) will review the Incident/Arrest Reports for investigative potential and proper UCR classification. The Investigative Services Division is responsible for collation and submission of UCR data.

F. Release of information from department records to the media will be handled in accordance with the provisions of General Order 621.

G. Police reports shall be maintained and disseminated to courts, State's Attorney's offices, and other appropriate agencies pursuant to State law.

06 Audit/Evaluation: All phases of the recording/reporting process, including complaint control recording and the field reporting process, will be inspected periodically, and at least annually, by the Support Services Commander or designee. This procedure, as well as the Report Manual, will be evaluated at least annually.

07 Privacy/Security Precautions: As stated previously, all aspects of the central records function are conducted in accord with Department procedures, local ordinance and/or State statutes. Privacy and security of criminal history records are in accord with U.S. Department of Justice regulations (28 Code of Federal Regulations, Part 20 - Criminal Justice Information Systems). Any departmental employee who violates subpart B of these regulations shall be subject to a civil penalty not to exceed $11,000. A criminal violation of NCIC/III/NLETS/METERS policy and procedures by a departmental employee shall be cause for the employee to be cited under General Order 202, Section 01 Conformance to Law, and/or Section 04 Confidentiality, depending upon the facts of the violation. If investigation upholds either violation, the Disciplinary Matrix (Attachment to General Order 402) identifies "All Criminal Violations and Attempts, Including Serious Traffic (subject to prosecution by the State's Attorney's Office)" as a Category E Violation, for which disciplinary measures include suspension without pay in excess of 15 days (in excess of 120-150 hours, depending on schedules), demotion, or dismissal.

08 Records Retention: Records are maintained as required by applicable Federal, State, County and local law. **Note that:**

* Case report files are retained for 25 years,
* Criminal records are retained for 75 years,
* Juvenile records are retained for 10 years,
* Expunged records are retained for 3 years,
* Vehicle accident reports are retained for 5 years,
* Communication logs are retained for 25 years,
* Per State law, original reports are maintained on file until a court orders expungement,
* State tickets are kept for a minimum of 5 years,
* Personnel file are kept until a court orders them destroyed,
* Internal investigation files are maintained solely by the Professional Standards Manager (see General Order 635), (82.3.5)
* Criminal history files are maintained in the locked Archives, to include fingerprint cards, and arrest photographs. (82.3.6)
* Adult and juvenile files are maintained separately, and,
* While a case is under active investigation, a "working case", including cases from CID, may be locked in the CID office. Patrol officers will coordinate with CID when active case files in CID are needed.
* Intelligence files are maintained in the locked CID office and are retained for 2 years.
* FIRs (Field Investigative Reports) are maintained in the locked CID office and are retained for 2 years.

09 Central Records Accessibility: Central records information is available to operations personnel 24 hours a day, seven days a week, and may be accessed through the Takoma Park Police Computer system.

10 Repository of Records: Records are filed in the Department's repository of records, which includes, but is not limited to:

* Offense reports,
* Arrest reports, and,
* Traffic accident reports. Maintenance of this repository is a function of the Administrative Services offices.

11 Alphabetical Master Name Index: The Department maintains certain files within its records-keeping computer. These files are updated each time report information is entered, changed or deleted.

A. The master name (adult) listing may be accessed by direct name inquiry or alphabetical search. Each name is cross-referenced to that person=s involvement, either as a complainant, victim, witness, suspect, arrestee or other. This would include all past arrests to serve as a criminal history file.

B. The master name (juvenile) listing may be accessed by direct name inquiry or alphabetical search. Each name is cross-referenced to that person's involvement, either as a complainant, victim, witness, suspect arrestee or other.

C. Contained in the master name file is a sub-file for wanted persons. When the warrant is served, the name is removed from the active file and left in the master name file as part of an incident. When warrants are received by the Department, they are logged in and out by the Warrant/NCIC Coordinator using the TPPD form #600-45. Once the warrant is documented, it is filed in alphabetical order in the Communications office, providing for immediate access and conformation capabilities.

12 Incidents by Location and Type: This information is in the computer as follows:

* Incident by Beat/Response Area & Reporting Area,
* Accident by street name,
* Special search for an incident via area, street name or exact location, and,
* Incident by type of event or crime.

13 Property Index: (see General Order 627). Property is filed as stolen, impounded, recovered, found, evidence or safekeeping. It is also cross-referenced to an incident with a corresponding case number that also applies to the property.

14 Criminal History Files: (see General Order 640 - Criminal Investigations Division, and General Order 641 - Organized Crime).

15 Traffic Records Section: Traffic Arrests are filed under the case number in the Central Records Archives. State Citations are filed by Citation number for 5 years in the Central Records Archives.
16 Records Maintained Outside Administrative Services: (see General Orders 640 & 641)

17 Fees for Reports Provided to the Public: The Support Services Commander will recommend to the City Manager fee schedules for accident reports, fingerprints and other services. Such recommendations will be based upon an annual review of existing schedules. Only "parties of interest" shall be provided copies of reports, pursuant to the Freedom of Information Act and applicable Federal, State and local law.

18. Computerized files:

A. Security of all relevant passwords shall be the responsibility of the individual system user. At no time shall an employee allow anyone else the use of their access passwords.

B. The Support Services Commander shall conduct an annual audit of the central records computer system for verification of all passwords, access codes, or access violations.

C. The System Administrator shall approve any outside disc or hardware introduced into department owned computer systems or workstations.

D. The System Administrator maintains, and periodically completes, backups of the central records computer files. These files are maintained in the System Administrator's office.

E. The Support Services Commander or his /her designees are the only ones who can authorize the release of criminal history records.

F. Distributions of any data to individuals or groups outside the Criminal Justice System shall require approval of a Command Authority.

19. Destruction and movement of written and electronic information.

A. Written documents that are the responsibility of the Records Clerk are scanned and entered into the appropriate server drive. Written documents that do not meet the retention standards of Section 08 of this general order can be shredded right away or placed into the secure Archives room for destruction at a later time.

 B. Written Documents that need to be retained longer as outlined in Section 08 of this general order will be retained in secure file cabinets or the secure Archives Room.

C. Electronic records and data will be stored on password-protected computers. During non-work hours, office doors will be secured so that non-authorized persons cannot access computers.

D. When computers or other electronic devices with sensitive record information needs repair, the city's Information Technology Department will be called to fix the problem. If the computer or other electronic device cannot be fixed in the person's office and needs further service, the city's IT Specialist, may remove the computer or electronic to their office and keep it in a secure and locked area until it can be fixed and returned to the user.

E. When a computer or electronic device is no longer usable or outdated; the city's Informational Technology Department will be responsible for removing the hard drive from the computer or electronic device and give it to the Support Services Commander or designee. The hard drive will be stored in the secure Archives Room until such time it can be destroyed properly.

F. Destruction of documents and hard drives can be done by an outside service that specializes in shredding documents and hard drives. A police employee will be present during the destruction process.

G. Expungement from Shared electronic databases

1. Records Clerk will ensure that when completing expungement records from the electronic databases, that records shared with other agencies are removed as well, such as LInX. If expunged records are still visible the LInX program manager needs to be contacted immediately.

2. The Records Clerk will ensure that the Takoma Park Police Departments business process for sharing and/or dissemination of data requested through LInX meets legal and agency guidelines and those guidelines are being followed. If not, the Record's Clerk will notify the Support Services Commander for guidance. The Support Services Commander will be responsible for getting the problems or policy corrected and informing the Chief and Deputy Chief.

3. The Records Clerk will be responsible for verifying that the records are expunged from LInX.