

## RECORDS MANAGEMENT

### 1. PURPOSE

This policy establishes standard procedures for managing ----- Police Department records, records systems and public disclosure requests according to the -----Public Records Act----, Administrative Code Chapter -----and City/County of----- policies and procedures.

### 2. DEFINITIONS

- a. **"Public record"** according to **STATUTE-----** includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.
- b. **"Public records"** as used in **STATUTE-----** shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of ----- in connection with the transaction of public business, and legislative records as described in STATUTE-
- c. **CJIS Security Policy:** Criminal Justice Information Services Security Policy is an FBI mandated set of rules and standards governing access to and management of criminal justice information and technology systems including NCIC and state and local systems containing criminal justice information.
- d. **RMS System Administrator:** The person designated by the ----- Police Department to oversee and manage the use and functionality of the -----system as used by the department including the proper administration of user rights levels, system security, access, updates, etc.
- e. **NICS:** The National Instant Criminal Background Check System is a computerized system designed to immediately determine if a person is disqualified from receiving or possessing firearms by conducting a search of available records. The use of the NICS is only authorized for the transfer of a firearm, for the issuance/renewal of a concealed pistol license and for the Disposition of a Firearm (DOF) from evidence. The NICS Index contains prohibiting information that may not be found in the III or the NCIC.

- f. **NCIC:** National Crime Information Center is a computer system managed by the FBI utilized for entering, querying, and managing criminal justice information from law enforcement agencies nationwide including criminal record history information, fugitive information, stolen properties, missing persons. It is available to Federal, state, and local law enforcement and other criminal justice agencies.
- g. **TAC:** Terminal Agency Coordinator is the employee designated by the ----- Police Department to serve as the point of contact for matters relating to CJIS information access. The TAC administers CJIS systems programs within the ----- Police Department and oversees the Department's compliance with CJIS policy.
- h. **Records Officer:** The person designated per STATUTE----- at the ----- Police Department as the Records Officer. The Records Officer is the department's Records Manager.
- i. **Records Management Committee:** A committee comprised of employees representing a cross-section of the department who meet on a bi-weekly basis responsible for monitoring records management activities and issues including but not limited to reporting writing, technology, crime data, case management, records retention and training. This committee will also, by a majority vote, approve and recommend to command staff any needed policy and procedure changes, produce and update the department's report writing manual and maintain and distribute meeting minutes to all committee members. The Records Manager will serve as the Committee Chairperson.
- j. **Retention Schedules:** A set of minimum time periods that records must be retained for as approved by the -----State -----.
- k. **Records Series:** A group of records that serve the same purpose and are of the same or similar type. Retention schedules are assigned to each record series.
- l. **National Incident Based Reporting System:** the federally regulated system for reporting crime statistics to the----- also known as IBR.
- m. **Document Imaging:** The process of digitizing paper records via scanning.
- n. **Public Disclosure Requests:** A request for copies of ----- police records as governed by STATUTE and City/County of ----- Policy.
- o. **Report Turnaround Time:** The timeframe from when a report is submitted by an officer to the time it is approved by the Records Unit.

### **3. RECORDS UNIT**

The ----- Police Department will maintain a Records Unit and designate and work with the Records Officer, System Administrator and Records Management Committee to ensure:

- a. Compliance with all laws, policies and procedures governing the management of records including but not limited to:
  1. The protection from damage, loss, theft or misuse of all records and systems;
  2. The creation of records as appropriate to document the actions, business, and management of the ----- Police Department;
  3. The return of all records by employees who are no longer employed;
  4. The preservation and destruction of all records according to approved retention schedules;
  5. The transfer of all historically valuable records to the ----- State Archives;
  6. The accessibility of records for copying and public inspection according to the-----Act.
- b. Security of all ----- Police Department records and technology systems and system user information;
- c. Designation of appropriate personnel to the Records Management Unit;
- d. The creation and maintenance of an agency-wide Records Management Program which provides for the proper management of the creation, collection, processing, maintenance, dissemination and disposition of records. Refer to the ----- Police Records Management Plan for details;
- e. Processing of police reports to include the review, correction and final approval of all incident, accident, supplemental, citation and arrest records. Police reports will be reviewed by police sergeants and records personnel who will ensure the correction of any errors. All reports are considered drafts until reviewed and approved by the Records Unit.
- f. Routing of records will be done electronically to recipients.

### **4. RECORDS OFFICER RESPONSIBILITIES**

The Records Officer or designee coordinates the Records Management Program, assigns duties to Records Unit personnel and shall:

- a. Manage Records Unit operations.

- b. Manage an annual records destruction process for all Department records according to approved retention schedules. Prior to destruction of records, the Records Officer shall confer with the ----- City/County Attorney's Office to identify any records that may be subject to litigation and need for preservation.
- c. Serve as the primary liaison with----- State Archives.
- d. Develop and provide for annual records related training to employees.
- e. Advise the Department on records management procedure.
- f. Oversee the evaluation of the Records Unit's performance measures to ensure prevention of backlogs, prompt response to public disclosure requests, and the implementation of quality control procedures as described herein.
- g. Ensure the proper submission of IBR reports.
- h. Inventory, or manage the inventory, of all records at least once during a biennium for disposition scheduling and transfer action, in accordance with procedures prescribed by the State.
- i. Consult with any other personnel responsible for maintenance of specific records within the Department regarding records retention and transfer recommendations.
- j. Analyze records inventory data, examine and compare divisional or unit inventories for duplication of records, and recommend to the State minimal retention periods for all copies commensurate with legal, financial, and administrative needs.
- k. Approve all records inventory and destruction requests which are submitted to the State.
- l. Review established records retention schedules at least annually to ensure that they are complete and current.
- m. Participate in the selection of necessary technology and other resources for all records management operations.

## **5. RECORD ACCESS, STORAGE AND SECURITY**

- a. All records shall be maintained in a secured environment according to current CJIS Security Policy.

Access to RMS, NCIC, NICS and other databases shall be given only upon approval by-----and only upon receiving the required CJIS Security Training and certifications. Refer to the NCIC manual for training requirements.

- b. User account credentials will be provided by.... Passwords will be changed every....
- c. The Records Officer shall assume responsibility for ensuring all computer and network security requirements are in place and operational, in collaboration with City/County of ----- IT personnel as necessary.
- d. Employees shall not access, view or distribute, or allow others to access, view or distribute any record or data except in accordance with this policy, CJIS Security Policy, ----- and the Public Records Act. Records may be shared and accessible to employees within the Department and with other criminal justice agencies as necessary in the normal course of duty. Records provided in response to a public disclosure request shall be done so only through the Records Unit.
- e. The ----- Police Department will seek to maintain records in electronic format as follows:
  - 1. Case related supporting documents will be imaged by the Records Unit and attached to the report in RMS
  - 2. Protection orders will be attached to the report in RMS.
  - 3. Warrants....
  - 4. ...
- f. Employee files will be maintained in....
- g. Investigative case files will be maintained in Investigations and once complete will be turned over to the Records Unit for proper imaging and storage.
- h. Training related files will be maintained in....

## **6. RECORD RETENTION**

Records retention schedules shall be set by the Records Officer and approved by the Chief of Police, the City/County Attorney's Office, and the State----- . Retention schedules determine how long, at a minimum, Department records (official copy of record, otherwise known as the "original") will be maintained.

All other copies shall be considered duplicates. Note: the format of the record is irrelevant. Retention schedules apply to all types of records including those within the RMS.

1. The official copy of record (original) of ----- Police Records shall be as follows:
  - a. All types of police reports maintained in the RMS system shall be the copy of record.
  - b. All training related records maintained in...shall be the copy of record.
  - c. All case file records maintained in Investigations shall be the copy of record.
  - d. All....
  - e. All other copies shall be considered duplicates and may be disposed of when no longer needed.
2. Electronic records shall be destroyed in accordance with the methods prescribed by the ----- State Archives...
3. Paper records shall be destroyed by means of shredding.

## **8. REPORT WRITING, REVIEW AND APPROVAL**

It is a goal of the ----- Police Department to produce records which are accurate, error-free and well-written. The Department will seek to achieve a three percent or less reporting error-rate. This rate will be tracked and monitored by the Records Unit as part of the Records Management Program.

- a. Police reports of all types will be submitted through a two-tiered quality control process. Supervisors will review and approve or reject reports as needed. Once approved by a supervisor, reports will be checked by the Records Unit. Refer to the Report Writing Manual for detailed instructions.
- b. The following are considered errors in police reports and will be corrected during the report correction process:

These items will be rejected to the reporting officer and/or approving supervisor for correction:

1. Missing property entry
2. Missing detail pages
3. Missing property/vehicle values
4. Incorrect offense dates/times
5. Incorrect personally identifiable information for all persons listed in the report
6. Incorrect date/time the report was written
7. Incorrect classification (title)

8. Missing classifications
9. Other missing required information
10. Others as deemed by a supervisor or by the Records Unit

These items may be corrected by Records Personnel:

11. Incorrect case number
12. Incorrect offense address
13. Missing IBR data
14. Incorrect offense location type
15. Incorrect property type code
16. Incorrect vehicle type code
17. Incorrect persons type code
18. Incorrect case status or clearance code
19. Missing LEOKA information
20. Missing hate crime information
21. Missing routing information

- c. Reports will be written in a matter of fact manner to include the facts and findings of investigations, the actions taken by all parties involved in investigations including City/County of ----- Personnel, and a detailed listing of all persons, property and vehicles involved in an incident.
- d. Officers shall write reports for any call for service or follow-up investigation involving the following:
  1. Crimes
  2. Traffic accidents
  3. DUI
  4. Deceased persons
  5. Fires
  6. Property damage
  7. Missing persons
  8. Suspicious incidents
  9. False alarms
  10. Persons critically injured
  11. Persons injured on City/County property
  12. Arrests
  13. Assist other agencies
  14. Disturbances
  15. Others as determined by the officer and/or supervisor
- e. Supervisors shall routinely check calls for service records on their shift to determine reports have been written as necessary.

- f. All reports shall be submitted to a supervisor and approved by the end of the shift. If this is not practical due to extenuating circumstances, officers shall notify a supervisor who will determine if the report can be completed by the oncoming shift. All other exceptions must be approved by a supervisor.
- g. Reports will be reviewed by the-----who will determine if incident reports will be assigned for follow-up investigation by a detective. Investigations supervisors will monitor investigations to ensure supplements are written within 10 days of a case being closed.
- h. Report statuses include open, pending investigation, closed, unfounded (a crime did not happen or occurred outside of City/County of -----), cleared by arrest or cleared by exception. An exceptional clearance must be selected only when all of the following conditions are present:
  - 1. The investigation has clearly and definitively established the identity of at least one offender;
  - 2. There is sufficient probable cause to support arresting, charging, and prosecuting the offender;
  - 3. The exact location of the offender must be known so an arrest could otherwise be made;
  - 4. There must be a reason outside the control of the Department preventing the arrest.

Once these conditions are present, the exceptional clearance type must be selected as follows:

- 1. Death of Offender
  - 2. Prosecution Declined (by the prosecutor for other than lack of probable cause)
  - 3. In Custody of Other Jurisdiction
  - 4. Victim Refused to Cooperate (in the prosecution)
  - 5. Juvenile/No Custody (the handling of a juvenile without taking him/her into custody, but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense, such as petty larceny)
- i. The Records Unit will seek to ensure an average report turnaround time of 2-3 days. Officers should inform concerned parties to contact the Records Unit after this time frame to obtain copies of reports.