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GENERAL ORDER 82
RECORDS
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SUMMARY OF REVISIONS: 82.2.1 and 82.2.2

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PURPOSE: The purpose of this chapter is to describe how the agency will maintain and secure the

agency's records.

82.1 ADMINISTRATION

82.1.1 PRIVACY/SECURITY PRECAUTIONS

Records personnel shall maintain the privacy and security of the agency's records in accordance with Chapter 149 of the Ohio Revised Code and Ohio's Open Government Resource Manual.

A. Agency records shall be maintained in the records storage area of the records section.

- The records storage area shall be secured by electronic access in the absence of records personnel.
- No records shall be removed from the records storage area unless signed out by records personnel or an agency supervisor.
- At the end of their work day, records personnel shall return all records from their desks and place them back in the records storage area.

B. Access to agency records/files after hours shall be restricted to the following:

- Agency supervisors shall be allowed entry to the records storage area at any time via electronic access.
- Communications center personnel shall be allowed entry to the records area at any time via electronic access for the purpose of verifying LEADS/NCIC entries.
- All personnel can query records electronically via the security controlled records management system (RMS).

C. Release of agency records shall be in accordance with the Ohio Public Records Act, the Ohio Open Government Resource Manual and Criminal Rule 16 (discovery).

- Data printouts obtained from LEADS/NCIC shall not be released to non-criminal justice personnel.
- Social security numbers shall be redacted prior to the release of any agency record to non-criminal justice personnel.
- Offense/Incident and traffic crash reports shall not be release until the report is marked approved by a supervisor.
- Supplemental reports to an offense report that is under active investigation shall not be released without the approval of the assigned investigator.

82.1.2 COLLECTING, DISSEMINATING AND RETAINING JUVENILE RECORDS

A. **Juvenile criminal records** shall be maintained in the records storage area in a secure file **separate from adult** criminal records.

- Computer entries of juvenile criminal records receive a **unique juvenile identification number** and are entered into a separate computer module to allow segregation of records within the records management

system (RMS).

B. Fingerprints, photographs and other forms of identification collected by officers are maintained in the juvenile's individual criminal record.

"Fingerprints and photographs of a child may be taken by law enforcement officers when the child is arrested or otherwise taken into custody for the commission of an act that would be a felony if committed by an adult, without the consent of the juvenile judge, when there is probable cause to believe that the child may have been involved in the commission of the act. A law enforcement officer who takes fingerprints or photographs of a child under this division immediately shall inform the juvenile court that the fingerprints or photographs were taken, and the name and address of each person who has custody and control of the fingerprints or photographs or copies of the fingerprints or photographs." (Ohio Revised Code 2151.313(A)(2))

Offenses for which juvenile fingerprints must be obtained include 2903.01 (Aggravated murder), 2903.02 (Murder), 2903.03 (Voluntary manslaughter), 2903.04 (Involuntary manslaughter), 2903.11 (Felonious assault), 2903.12 (Aggravated assault), 2903.13 (Assault - misdemeanor or felony), 2903.21 (Aggravated menacing), 2903.211 (Menacing by stalking), 2903.22 (Menacing), 2905.01 (Kidnapping), 2905.02 (Extortion), 2907.02 (Rape), 2907.05 (Gross sexual imposition), 2909.02 (Aggravated arson), 2909.03 (Arson), 2911.01 (Aggravated Robbery), 2911.02 (Robbery), 2911.11 (Aggravated Burglary), 2911.12 (Burglary), 2917.01 (Incite to violence), 2917.02 (Aggravated riot), 2917.03 (Riot), 2917.31 (Inducing panic), 2919.25 (Domestic violence), 2921.03 (Intimidation), 2921.04 (Intimidation of attorney, victim, or witness), 2921.34 (Escape), 2923.161 (Improper discharge of a firearm).

– If a **juvenile has been fingerprinted and photographed** on the basis of an arrest or custody, the fingerprints, photographs, and "other records" (other records may include the juvenile's statement or investigator's report if they would identify the juvenile, (2004 Ohio Sunshine Laws Update) relating to the arrest or custody **must not be disclosed**.

– If a **juvenile has not been fingerprinted and photographed** on the basis of an arrest or custody, all juvenile records pertaining to the arrest are **treated no differently that adult arrest records** as they pertain to discovery or public disclosure.

– Fingerprints shall be submitted to Ohio Bureau of Criminal Investigation and Identification for juveniles arrested for a Category 1 or Category 2 offense as defined by Uniformed Crime Reporting.

C. Juvenile records shall be maintained in a separate filing cabinet in the **records storage area** of the records section. Access to juvenile records shall be maintained in the same manner as adult records. (GO 81.1.1)

D. After the juvenile offender reaches adult age, the juvenile records shall be maintained in the juvenile records storage area and disposed of in accordance with the City of Dublin Records Retention Schedule.

E. Juvenile records will be expunged or sealed only by court order and in accordance with the directives described in the court order and with Ohio Revised Code sections 2151.358E and 2151.358F.

82.1.3 RECORDS RETENTION SCHEDULE

The agency will adhere to the records retention schedule established and maintained by the Records Commission of the City of Dublin in accordance with provisions of Ohio Revised Code Chapter 149, the provisions of the Ohio Historical Society, the Ohio Attorney General, and the State of Ohio Auditor's Office.

82.1.4 UNIFORM CRIME REPORTING

Crime data for Uniform Crime Reports will be collected from offense report data. The information will be used to submit the Uniform Crime Reports on a monthly basis.

82.1.5 STATUS OF REPORTS

When completing reports, officers will **obtain a sequential incident number** from the communications section for use on all paperwork associated with the incident. This number will be automatically assigned by the computer-aided dispatch system.

- In the event an **incident number is assigned in error** the records section supervisor or his/her designee will be notified and will void that number.
- All paperwork associated with the initial investigations, i.e. offense report, crash reports, supplements, witness statements, and addenda prepared by the initial reporting officer should be completed and submitted **as soon as possible**.

The records section will **maintain all original** completed reports.

- When original records are **released to authorized agency personnel**, records section personnel will document the release.
- Records personnel will forward copies of offense reports to the detective bureau for follow-up investigation.
- Upon completion, **original supplemental reports** will be forwarded by the investigating/reporting officer to the records section for inclusion in the original case file.

82.1.6 SECURITY OF CENTRAL RECORDS COMPUTER SYSTEM

A. The City of Dublin Division of Information Technology shall conduct **routine backups** of systems as follows:

- The Network and AS400 backup of **incremental changes** is conducted daily.
- The Network and AS400 **complete backup of systems** is conducted weekly.

B. On a weekly basis, the City of Dublin Division of Information Technology shall remove back up media and store it at an off site, secure location for a period of one year. At the end of the retention period, the storage media shall be recycled.

C. Access to the central records computer shall be restricted to criminal justice personnel and members of the City of Dublin Division of Information Technology.

D. On an annual basis, the Technical Services Bureau Director or his/her designee shall complete and document an audit of the user identifications and passwords on the central records computer to verify only authorized personnel can access the system.

82.1.7 ACCESS AND SECURITY OF CRIMINAL HISTORY RECORDS

Ohio Bureau of Criminal Investigation and Identification (**BCI**) and **NCIC** Interstate Identification Index (III) Computerized Criminal History files are considered **confidential** and may only be accessed by criminal

justice personnel for criminal justice purposes.

- **Criminal history files** are not to be copied or released to the public, as these records are excluded from the Public Records Act. (Ohio Revised Code 149.43)
- Ohio Public Records Law and Criminal Rule 16 govern **access and security** of criminal histories maintained by this Division.

82.2 FIELD REPORTING AND MANAGEMENT

82.2.1 FIELD REPORTING SYSTEM

The following guidelines establish procedures for field reporting.

A. Reports are to be completed in the following circumstances:

- **Incident reports** are to be completed when reporting a crime that occurred within the Dublin Division of Police service area.
- **Case supplements** are to be completed by officers when the officer receives or obtains additional information relevant to a case.
- **Ohio Traffic Crash Reports** will be completed in accordance with the Ohio Traffic Crash Procedure Manual.
- **Property receipts, property impound sheets and vehicle impound sheets** will be completed anytime property is received.
- **Arrest reports** will be completed anytime a suspect is arrested or criminally charged.

B. When completing reports, officers will utilize the agency's mobile field reporting (MFR) system for incident, case supplement, traffic crash, property voucher and arrest reports. Paper back up forms are available for use anytime the MFR system is unavailable or when the use of paper forms is authorized by a supervisor.

C. Reports will include:

1. the **date and time** of the report;
2. the **name of the person** requesting service;
3. the **victim's name** and/or complainant's name;
4. the **witness and suspect** names (if known);
5. the **location** of the incident;
6. the **nature** of the incident;
7. the **date and time of actions** taken by an officer.

Reports will be accurate, legible and complete and will be submitted in a timely manner.

D. The Dublin Division of Police **Field Reporting Guide** details information to be contained in field reports and procedures to be followed in completing field report.

E. All **completed reports** and associated paperwork will be forwarded to and reviewed by the shift supervisor in a timely manner. Once approved by a supervisor, the reports will be considered complete

and will be forwarded to the records section for processing.

Reports that are incomplete or need correction will be returned to the reporting officer with corrections noted by the supervisor. Corrections are to be made as soon as practical.

Corrected reports will be resubmitted for review and, once approved, will be considered complete and will be forwarded to the records section processing.

82.2.2 REPORTING OF INCIDENTS

A. Crimes alleged to have occurred in the Dublin Division of Police service area will be reported as outlined below:

1. An **incident report** should be completed using the agency's mobile field reporting (MFR) system whenever elements of a crime exist or when the officer initiates an arrest for a crime. Crimes where an incident report is mandatory are:

- Any felony,
- Any incident involving serious or life threatening injury to any persons,
- Any sex offense,
- Endangering children,
- Crime of Domestic Violence
- Criminal child enticement,
- Unlawful restraint.

a. The officer may utilize the **Call for Service record** in the agency's Computer Aided Dispatching (CAD) system to report crimes when the victim/complainant objects to an incident report to being filed, the crime is minor in nature and it is not one of the crimes on the list above.

b. Incident reports are generally not taken via telephone. If it is necessary to take an incident without seeing the victim in person, the officer will ensure a witness statement is sent to the victim to be completed, signed and returned prior to the submission of the final report.

2. **Case supplements** are to be completed when the officer receives or obtains additional information relevant to a case.

B. **Citizen complaints** will be documented by a supervisor on the approved division citizen complaint form as detailed in General Order 52.1.1.

C. All incidents reported to the agency where an officer is dispatched or assigned will be documented in the agency's computer aided dispatch system on a call for service record.

D. Criminal and non-criminal cases initiated by law enforcement officers will be documented on an incident report with case supplement reports completed as additional relevant information is received.

Arrests will be documented in the arrest module of the agency's mobile field reporting (MFR) system. Citations or summonses for criminal offenses will be documented on the appropriate criminal complaint or citation form.

82.2.3 CASE NUMBERING SYSTEM

Every call for service handled by this agency receives a sequential number assigned by the computer-aided dispatch system.

- Any call for service resulting in a report will also receive a **sequential incident number** from the communications section for use on all paperwork associated with the incident. This number will be automatically assigned by the computer-aided dispatch system.
- In the event an **incident number is assigned in error** the records section supervisor or his/her designee will be notified and will void that number.
- No call for service or incident number will be **duplicated or omitted**.

82.2.4 REPORT DISTRIBUTION

Copies of all **case reports** and associated documents will be provided to the Detective Sergeant or his/her designee by records section staff.

- The Detective Sergeant reviews the case and assigns the case for follow up or classifies the case as inactive.
- Copies of all **crash reports** where a person is given a traffic citation and a copy of all case reports where a person is arrested shall be provided to the Clerk of Courts.
- Copies of **crash reports** will be provided to the Ohio Bureau of Motor Vehicles.
- The provisions of the **Ohio Public Records Act** will govern the release of copies of reports requested by the general public.

82.2.5 REPORTS RECEIVED VIA TELEPHONE

Generally crime or incident reports will not be taken by phone. If it becomes necessary to take a report via the telephone, the officer, where possible, will fax the reportee a witness statement to be completed and signed prior to the submission of the final report.

- This process may be utilized if the reportee/victim resides outside of the central Ohio region.

82.3 RECORDS

82.3.1 MASTER NAME INDEX

The records management system (RMS) and computer aided dispatch system (CAD) will serve as the alphabetical master name index for the agency.

82.3.2 INDEX FILES

A. The computer aided dispatch system (CAD) and the records management system (RMS) will serve as the databases for searching service calls and **crimes by type**.

- **Uniform Crime Reports** are completed on a monthly basis using data from the records management system.

B. The computer aided dispatch system (CAD) and the records management system (RMS) will serve as the databases for searching service calls and **crimes by location**.

C. The RMS will serve as the database to track **stolen, found, recovered and evidentiary property**.

– Records are maintained by type of property, by property numbers that are assigned to each article, and by incident number.

– The **Property Technician** will be responsible for maintaining records of all property.

82.3.3 TRAFFIC RECORDS SYSTEM

The records management system (RMS), computer-aided dispatch (CAD), and court records will serve as the agency's traffic records system and shall contain:

A. **Traffic crash data** to include reports, investigations and locations.

B. **Traffic enforcement data** to include citations, arrest dispositions and locations.

C. **Roadway hazard information**

D. Traffic crash and enforcement **analysis reports**.

– A monthly report is generated that analyzes traffic crash and traffic enforcement data by records section staff or the Chief's executive administrative assistant.

– The Operations Bureau Commander will lead a discussion at the monthly staff meeting regarding traffic crash and traffic enforcement data.

82.3.4 TRAFFIC CITATION RECORDS

The Technical Services Bureau is responsible for the issuance and maintenance of records of traffic citations.

A. Officers are issued **traffic citations, criminal affidavits, and parking citations**, complete with a ledger of violations by the Training & Accreditation Sergeant or his/her designee.

– When an officer has finished a pad of citations, the officer will turn in the **completed ledger** of violations to the Training & Accreditation Sergeant or his/her designee..

– Completed citation and affidavit **ledgers will be catalogued** in accordance with the City of Dublin Records Retention Schedule.

B. A record of **citation ledgers** is maintained by the Training & Accreditation Sergeant or his/her designee.

– The record will include the officer's name, the numbers of the citations issued to the officer, the date of issue, and the date the ledger is turned in.

C. Citations will be stored in **secure areas** in the evidentiary property storage.

D. Void and Dismissal of a Citation

Voiding a Citation

The issuing officer may void a citation when the citation includes an error, when a citation is damaged to the extent that it should not be used, or when a violation has been corrected prior to the citation being filed with the court. No citation will be voided after it has been filed with the court.

- The officer will write "VOID" in large letters across the front of the citation and write a brief explanation on the back side of the hard copy of the citation including his/her signature and the date in which the citation was voided.
- The officer will submit the voided citation, including all copies of the citation, to his/her on-duty supervisor for review. After supervisory review, the voided citation will be placed in the citation tray in the same way as if it were valid.
- The officer will note on his/her citation ledger that the citation was voided and the date in which the citation was voided.

Dismissal of a Citation

This process is for circumstances where a citation has been filed with the court and the citation includes an error, was improperly issued, or some other special circumstance. If an officer wishes a citation to be dismissed, the officer will complete a written request for dismissal and forward it to his/her supervisor for review. The written request for dismissal shall include a reasonable and lawful explanation, date, and officer's name. If the supervisor approves the request, it shall be copied to the court liaison and forwarded to the prosecutor for review and determination. This section does not preclude a sworn supervisor from making a written request to the prosecutor seeking a dismissal of a citation due to an error, being improperly issued, or some other special circumstance.

82.3.5 RECORDS MAINTAINED BY AGENCY COMPONENTS

Certain types of records will be maintained among various operational components for the purpose of providing additional security and control as follows:

- The Property Technician will maintain records relating to **property**.
- The Office of the Chief will maintain **internal affairs** records, **use of force** records, **agency complaint files** and other personnel related records.
- The Detective Sergeant maintains the **confidential informant files**.
- **Training records** are maintained by the Training Sergeant and the Records Supervisor.
- **Breath testing** records are maintained by the assigned senior breath testing officer.

The **records section will sign out** all other records, including case files, arrest files, crash records that are issued to agency components.

The City of Dublin **Records Retention Schedule** governs retention of all records maintained by the

Division.

82.3.6 ARREST IDENTIFICATION NUMBER/CRIMINAL HISTORY

The agency maintains a numerical sequence of persons arrested and includes the identification number in the master name file index.

- Each arrestee will be assigned one **unique arrest identification number** and arrest packet by records personnel.
- **Subsequent arrests** of an individual are included in the same arrest packet.
- When arrest paperwork is processed by records section personnel, they will check **the master name file index** to determine if an identification number already exists for the arrestee.
- The **arrest packet includes** fingerprint cards, photograph/mug shot, arrest information sheet(s) and computerized criminal history reports (if available).

CROSS REFERENCE TO STANDARDS AND POLICIES: General Order 61.2.1; Administrative Order 1.23, Communications Center Procedure 9.0, 9.1; Ohio Revised Code 149, 2151.313, 2151.358, 2151.85 5502.11, Ohio Public Records Act, Ohio Traffic Crash Procedure Manual, LEADS/NCIC Operating Manual, Case Law (State ex rel Steckman v. Jackson [1994]), FBI UCR Handbook

CROSS REFERENCE TO FORMS: Dublin Police Forms Manual, City of Dublin Records Retention Schedule, Records Section Case Sign Out Form, Warrant Worksheet, LEADS Entry Sheet, FBI Uniform Crime Report

SAMPLE POLICY
This may not represent this agency's current procedure.