

# FLORENCE POLICE DEPARTMENT GENERAL ORDER

<b>Subject:</b> <p style="text-align: center;"><b>RECORDS</b></p>	<b>Procedure:</b> General Order 36.1.1 CALEA 82.1	<b>Total Pages:</b> 13
<b>Authorizing Signature:</b>  Original with Authorizing Signature on File	<b>Effective:</b> 4/1/17 <input type="checkbox"/> <b>New</b> <input checked="" type="checkbox"/> <b>Amended</b> <input type="checkbox"/> <b>Rescinds</b>	

**I. POLICY**

It is the policy of the Florence Police Department to maintain a central Records function, including a central Records Division, to meet its information-related management and operational needs. The Department will ensure that complete, legible, and retrievable records are maintained, controlled, and dispositioned in accordance with all federal, state, and local statutes.

**II. PURPOSE**

This written order establishes guidelines for the operation (maintenance, security, and release) of the central Records function.

**III. SCOPE**

This written order is applicable to all personnel.

**IV. RESPONSIBILITY**

All personnel are responsible for complying with this directive.

**V. RECORDS DIVISION GENERAL ADMINISTRATION**

- A. **OVERALL RESPONSIBILITY:** The Records Division Supervisor is responsible for all Records Division operations. Records Division is a component of the Services Bureau.
- B. **FUNCTIONS:** The functions of the Records Division include:
  1. Receipt and retention of all original report produced by sworn personnel;
  2. Establishing controls to ensure each report created and assigned a number is turned in to Records Division;
  3. Maintaining a numerical system for filing and retrieval of reports;
  4. Routing and distribution of copies to appropriate units for follow-up;
  5. Processing additional paperwork as required;
  6. Security of records;

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7. Reviewing submitted reports to ensure complete and accurate data is recorded for the purpose of reporting requirements and statistical analysis; and
8. Collecting and encoding data as it pertains to Incident Based Reporting (I.B.R.) criteria.

**VI. PRIVACY AND SECURITY OF RECORDS**

**A. SECURITY AND CONTROLLED ACCESS TO FILES:**

1. All non-computerized field reports generated by the Florence Police Department are maintained in the Records Division, unless otherwise noted. The Records Division will perform all functions related to the proper identification, storage, and retrieval of records. Records that are maintained include, but are not limited to:
  - a. Incident/Offense Reports;
  - b. Arrest Reports;
  - c. Wreck Reports;
  - d. Supplement Reports; and
  - e. Hard copy, non-computerized fingerprint and photographs of offenders.
2. Security and privacy of criminal records and individual reports will be governed by applicable policies and laws. The Records Division filing cabinets remain locked at all times. Access to the non-computerized field reports is limited to authorized personnel and the reports are secured within the Records Division. See related policy regarding NCIC for access to criminal history records.
3. The public access window of the Records Division is equipped with bullet proof glass. Authorized personnel have access via an electronic key.
4. Members and employees of this department shall not, except for authorized use, remove any records, reports, documents, or other official papers from any file maintained by the Records Division, or any Bureau or Division of the Department, for their custody, except by the due process of law, or as directed by a supervisor.

**B. AFTER HOURS ACCESS:** On-duty Supervisors have access to the Records Division after normal business hours.

**C. PROCEDURES FOR RELEASE OF RECORDS:** Release of all report copies and Records information will be in accordance with applicable departmental written directives governing public information and applicable state and federal laws. The interests and rights of the general

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public to review department case reports is restricted only by the individual person's right to privacy. The Freedom of Information Act will apply.

1. No reports will be released to the public prior to supervisory approval of the report or its processing into Records Division.
2. Subpoenas or Court orders to produce records at civil or criminal proceedings shall be forwarded to the appropriate prosecutor, City Attorney, supervisor or his/her designee for disposition or decision on releasing due to court discovery rulings.
3. Requests from other law enforcement agencies for complete copies of offense reports will be made through the Records Division. Agencies having jurisdiction in this judicial system, such as the District Attorney's office, state Probation and Parole offices, DHR, etc., will be granted complete copies as needed to meet their responsibilities. Additionally, full copies of reports will be issued to recognized victim service and victim advocacy organizations.
4. The Alabama Uniform Incident/Offense report is a public record, available to the public for inspection. However, sections including the back side of the Incident/Offense report, supplement reports, and other investigative materials, may be withheld from public disclosure in order to:
  - a. Protect Police Investigations;
  - b. Protect witnesses and innocent persons; and
  - c. Protect the rights of the accused to a fair trial.
5. "No portion of the back side of the Incident/Offense report is public record."
6. The custodian of public records (i.e., the Florence Police Department) may recoup reasonable costs incurred in providing documents to a citizen including, costs for retrieving and preparing the records and actual costs of copying records.
7. JUVENILES: A juvenile is entitled to the same confidentiality protections as adults. However, because of their status as juveniles, additional information may be withheld. The purpose of keeping this information confidential is to protect their identity so that he or she may be rehabilitated and not have early indiscretions affect his or her future.
8. The Florence Police Department will release the following documents under the following circumstances:
  - a. Front Side of the Alabama Incident/Offense Report: Will be made available to the entire public and media representatives for inspection. It should be noted that in the

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Spillman Reporting Module, currently used for reporting incidents and offenses, the “Media Report” supplies information that is consistent with the “Front Side” of the Alabama Incident/Offense Report. Copies, subject to current fees, are available.

- b. Back side of Alabama Incident/Offense Report: **Is not public record.**

Limited Exceptions Include:

- 1) Victims may receive the full report with witness and offender information redacted.
- 2) The offender’s name, date of birth, and address, as noted on the I/O report, may be released to the confirmed victim, or party making statement under oath, for the purpose of obtaining a warrant or summons.
- 3) All other requests will be granted upon receipt of a subpoena.

- c. Alabama Uniform Traffic Accident Report: Will be made available to the public and media for inspection. Copies, subject to current fees, are available for individuals or companies named on the report. Copies, subject to current fees, are available for a third party after all involved personal information has been redacted.

- d. Additional Investigative Materials, otherwise known as “officer work product,” will **not** be made available to the public. These reports include, but are not limited to:

- 1) Incident/Offense Supplement Reports;
- 2) Arrest Reports;
- 3) Evidence Vouchers;
- 4) Witness information;
- 5) Witness statements;
- 6) Photos;
- 7) Recordings;
- 8) Statements;
- 9) Papers; and/or
- 10) Other findings.

**VII. JUVENILE RECORDS**

- A. DISTINGUISHING JUVENILE RECORDS: Juvenile criminal history

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records are kept separate from adult records as required by law.

- B. **FINGERPRINTS, PHOTOGRAPHS, AND OTHER IDENTIFIERS:** When a juvenile has been arrested for a felony charge, and has been fingerprinted and photographed, this information is forwarded with the other applicable paperwork to the Juvenile Unit. Fingerprints and photographs are filed with the other juvenile records and disposed of when applicable, along with other juvenile records.
- C. **PHYSICAL SECURITY AND CONTROLLED ACCESS TO JUVENILE FILES:** Juvenile records are maintained by the Juvenile Unit, in a secure filing cabinet, inside a secure office. Only the Juvenile Investigator and the CID administrative assistant have a key to the locked filing cabinet.
- D. **DISPOSITION OF JUVENILE RECORDS:** Once a juvenile turns eighteen (18) years of age and the Lauderdale County Juvenile Probation Office advises our Juvenile Unit that all juvenile cases against the individual have been disposed of, the juvenile records on the individual are shredded.
- E. **EXPUNGEMENT:** Upon notification of the court that a juvenile's criminal history record has been expunged, the Juvenile Unit will pull all the applicable files on the juvenile and shred them, or otherwise act based on information contained within the court order. All computer files will be deleted.

**VIII. RECORDS RETENTION SCHEDULE**

For all records considered public records, the Florence Police Department will conform to the records retention schedules published by the Alabama Department of Archives and History. These schedules are found in the ADAH publication "Local Law Enforcement Agencies General Records Schedules." The Records Division Supervisor (or designee) will serve as archivist and assist various organizational components in maintaining compliance with ADAH guidelines.

**IX. UCR/NIBRS**

The Florence Police Department will participate in the Uniform Crime Reporting and National Incident Based Reporting System programs, submitting crime data on a timely basis. Procedures for collecting and submitting crime data are found in the Uniform Crime Reporting Manual. A copy of this manual is located in Records.

**X. REPORT ACCOUNTING SYSTEM**

- A. **STATUS OF REPORTS:** Once reports are completed and approved by the Shift Supervisor, they are forwarded to Records for processing. The Records Clerk will check for missing reports, notifying the appropriate Supervisor of any missing reports. The Records Clerk will also update the status of each report in Spillman. The various status options are available in Spillman. Active felony cases, and felonies closed by arrest, are

forwarded to CID for follow-up investigation; as are cases involving juveniles. Investigators will conduct follow-up investigations and complete reports within a reasonable amount of time. Investigators usually update the status of their case files in Case Management within ten days.

**XI. COMPUTER FILE BACKUP AND STORAGE**

- A. DATA BACKUP: The Police Department's computerized records' system is backed up on a daily basis on tape media. The tape media is recycled every seven (7) days. The tape media is stored in an on-site fire proof vault.
- B. STORAGE: The server hard drive containing the Department's computerized records is stored in a secure room, requiring electronic access.
- C. ACCESS SECURITY: Access to the server room is limited to IT personnel. Only these authorized personnel have card access.
- D. PASSWORD SECURITY:
  - 1. PASSWORDS ISSUED: Employees and volunteers of the Florence Police Department are issued computer passwords and access level authorization according to their job duties by IT personnel.
  - 2. PASSWORDS DISABLED: IT shall be notified and shall immediately and permanently disable all applicable passwords anytime an employee or volunteer of the Department resigns, retires, or is terminated. IT shall also be notified anytime an employee or volunteer is suspended or reassigned pending disciplinary action and IT shall disable all applicable passwords until such disciplinary action has been resolved.
  - 3. PASSWORDS AND ACCESS LEVEL MODIFICATION: IT shall be notified anytime an employee or volunteer is reassigned in order that the passwords and/or access levels granted to that person may be updated to the requirements of the assumed job duties.
  - 4. ACCESS VIOLATIONS: All passwords, access levels, and account permissions granted to an individual or group of individuals shall be configured to prevent access to applications not associated with their job description. Access levels within an application shall be at the lowest level that allows the individual to complete his or her job duties.
  - 5. PASSWORDS UPDATED: In order to enhance security and limit access to the computer system, employees and volunteers are automatically prompted by the computer system to update their password every ninety (90) days. If an employee or volunteer

suspects their password has been compromised, they should immediately notify IT and request a new password.

**XII. NATIONAL CRIME INFORMATION CENTER/ALABAMA CRIMINAL JUSTICE INFORMATION SYSTEM (NCIC/ACJIS) PROTOCOLS**

**A. PHYSICAL SECURITY:**

1. The NCIC/ACJIS System is available on the computer terminal located in Dispatch and on the MDT's (Mobile Data Terminal) in the patrol vehicles. The MDT's allow view only access, while Dispatch maintains the capability to send/receive messages, to print records, and for the storage of printed records. NCIC/ACJIS is maintained on a twenty-four hour per day, seven day per week basis within the physical security of Dispatch.
2. Direct access to the NCIC/ACJIS terminal will be limited to a minimum number of authorized Florence Police Department employees, necessary for the current operation.
3. Printed records or copies of records received through the NCIC/ACJIS terminal will be stored in a physically secure location to prevent unauthorized access, disclosure, or dissemination.
4. Printed records or copies of records no longer needed must be destroyed by burning or shredding.

**B. PERSONNEL SECURITY:**

1. The operation of the NCIC/ACJIS terminal will be limited to a minimum number of trained Florence Police Department employees necessary for the current operation.
2. Persons operating the NCIC/ACJIS terminal are screened to establish their suitability to work with sensitive and confidential information.
3. Direct access to the NCIC/ACJIS criminal justice records or to the areas where such records are stored will be limited to Florence Police Department employees whose official duties require access to such records.
4. Officers should ensure that any civilian personnel or observers do not have unattended access to the MDT's in the patrol vehicles; and that they not be allowed to operate the NCIC/ACJIS system under any circumstances.

**C. USE AND DISSEMINATION OF INFORMATION:**

1. Criminal History Record Information consists of individual's identifiable description, arrests, detentions, indictments or other formal criminal charges, and dispositions of those charges. This information has been collected by criminal justice agencies and

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may be obtained from Alabama, other states, and federal agencies.

2. Criminal History Record Information disseminated through the NCIC/ACJIS terminal is intended for use by criminal justice agencies or agencies specifically authorized by statute, ordinance, or court order. It is a violation of NCIC and Florence Police Department rules to use Criminal History Information obtained through the NCIC/ACJIS terminal for licensing or non-criminal justice employment checks. Criminal History Record Information obtained through the NCIC/ACJIS terminal may only be used for criminal investigations and criminal justice employment.
  3. Persons not representing criminal justice agencies who seek access to Criminal History Record Information obtained through the NCIC/ACJIS terminal will be referred to the Director, Alabama Criminal Justice Information System, 770 Washington Ave, Suite 350, Montgomery, Alabama, 36130-5201, telephone number (334) 242-4900, or (800) 392-8025.
- C. EDUCATION AND TRAINING: All NCIC/ACJIS terminal operators and other persons having access to Criminal History Record Information obtained through the NCIC/ACJIS terminal must be made familiar with the requirement of these privacy and security procedures. These users will receive mandatory retraining as directed by ACJIS.
- D. PENALTIES FOR THE VIOLATION OF PRIVACY AND SECURITY POLICIES: Violations of the criminal history record information dissemination restrictions could result in a fine of not less than \$500 nor more than \$10,000 and/or imprisonment for not less than 30 days, nor more than five years.

**XIII. FIELD REPORTING SYSTEM**

The guidelines for the Florence Police field reporting system follow are those outlined by the Alabama Criminal Justice Information Center, located within the Alabama Law Enforcement Officers' Handbook. The report forms issued and used by Departmental personnel are state forms designed to record basic information for all crimes and incidents reported to the Department. The Spillman Reporting Module is also utilized by Departmental personnel to record basic information for all crimes and incidents reported to the Department.

- A. Basic forms include:
1. ALABAMA UNIFORM INCIDENT/OFFENSE REPORT;
  2. ALABAMA UNIFORM INCIDENT/OFFENSE SUPPLEMENT REPORT;
  3. ALABAMA UNIFORM ARREST REPORT;
  4. SPILLMAN REPORTING MODULE REPORT;
  5. ALABAMA UNIFORM TRAFFIC ACCIDENT REPORT;

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6. JUVENILE COMPLAINT FORM;
  7. TOW-IN REPORT (In-house form): Instructions to complete the Tow-In Report are included on the report itself. More information may be found in Departmental procedures governing impoundments.
- B. WHEN REPORTS MUST BE WRITTEN:
1. Whenever police service or action is requested.
    - a. An IO or Spillman Reporting Module report is completed for every incident or offense investigated by an assigned officer.
    - b. An IO supplement or Spillman Reporting Module report is completed by any officer who obtains additional information about a case.
    - c. An Arrest Report or Spillman Reporting Module report is completed for each arrest made for this jurisdiction even if the arrestee is not taken into custody.
  2. All complaints which involve the commission or attempted commission of a felony or misdemeanor.
  3. Hit and run automobile accidents.
  4. Any other situation so designated by the Chief of Police.
- C. INFORMATION REQUIRED IN FIELD REPORTS: State report forms contain fill-in blocks for each data element. Spillman Reporting Module reports contain “drop-down” lists for each data element. The blocks and “drop-down” lists are self-explanatory and should be filled in as completely as possible. Information contained within the report should describe the details of the incident/crime, the victim(s), witness(s), suspect/offender(s), property, vehicle(s), and other necessary descriptive information as available.
- D. REPORT COMPLETION: All reports will be completed according to procedures covered in training, written directives, and applicable publications obtained through the State of Alabama, such as the Law Enforcement Officers’ Handbook. The applicable “fill-in” or “check-off” boxes should be completed.
- E. SUPERVISORY REVIEW: Officers will submit reports to supervisors in a timely manner. A supervisor will review all reports for thoroughness and accuracy before forwarding them to Records for processing.

**XIV. INCIDENT REPORTING REQUIREMENTS**

- A. The Florence Police Department will maintain a comprehensive reporting system of actions taken by agency personnel. This reporting system is primarily initiated through the CAD system. CAD (Computer Aided

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Dispatch) records all calls for service and police patrol activities.

- B. The CAD system records and generates a unique case number for every incident alleged to have occurred in the police department's jurisdiction within the following categories:
  - 1. Citizen reports of crimes;
  - 2. Citizen complaints;
  - 3. Calls for service when:
    - a. An officer is dispatched;
    - b. An officer is assigned to investigate; or
    - c. An officer is assigned to take action at a later time;
  - 4. Officer initiated activity that is both criminal and non-criminal in nature; and
  - 5. Incidents involving arrests and citations.
- C. Each of the above listed incidents investigated by an officer should be recorded on the appropriate form.

**XV. CASE NUMBERING SYSTEM**

- A. State issued reports will be used to report any crime, accident, or incident that is filed with the Florence Police Department.
- B. Spillman automatically generates a unique, sequential case number for every crime, accident, or incident requiring a report by the Florence Police Department.
- C. This unique, sequential number is recorded as the assigned case number on each respective report.

**XVI. REPORT DISTRIBUTION**

- A. Original reports filed by members of the Florence Police Department are retained in Records. In addition, a copy of each of the following reports is distributed to the Criminal Investigations Division:
  - 1. Incident/Offense reports;
  - 2. Felony arrest reports;
  - 3. Supplement reports;
  - 4. Domestic Violence reports; and/or
  - 5. Other reports that may require follow up investigation.
- B. As needed, copies of reports may be distributed to DHR, Municipal Court, Lauderdale County Juvenile Probation, and/or Lauderdale County District Attorney's office.

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- C. Copies of Traffic Accident Reports are retained in the Records Division and original reports are sent to the Alabama Department of Public Safety.

**XVII. REPORTS BY PHONE, MAIL, AND INTERNET**

The Florence Police Department does not take reports by phone, mail, or the internet. If a report of criminal activity, traffic accidents, or incidents requiring follow-up is received by phone, mail, or the internet, an officer will be dispatched to follow-up in person.

**XVIII. MASTER NAME INDEX**

- A. The Department maintains a computerized, alphabetical master list of all persons identified during official police activity in the “Names Table.” Each person within the list is cross-referenced to all police documents and incidents within which a person is named.
  - 1. The “Names Table” (master list of names) contains the names of persons listed in police reports as any of the following:
    - a. Victim;
    - b. Complainant;
    - c. Suspect;
    - d. Witness;
    - e. Arrestee;
    - f. Driver in a traffic accident;
    - g. And other reports including:
      - 1) Field Interview;
      - 2) Wanted Person file;
      - 3) Driver having been issued a Citation or Warning.

**XIX. AUTOMATED INDEX FILE**

- A. The Department gathers and maintains information on every crime, accident, or incident to which a police officer responds within the Spillman automated database.
- B. This information entered into the Spillman database allows the Department to maintain and track records for:
  - 1. Service calls and crimes by type – Personnel can retrieve data associated with incident types. Incident types are categorized as they pertain to Uniform Crime Reports Part I (serious felonies) and Part II (non-serious offenses);
  - 2. Service calls and crimes by location – Personnel can retrieve data

associated with the incident location of traffic accidents, arrests, and case reports by street location and zone; and

3. Stolen, found, recovered, and evidentiary property files – Personnel can retrieve data on stolen, found, recovered, and evidentiary property from the property table within Spillman.

## **XX. TRAFFIC RECORDS SYSTEM**

- A. The Department collects information regarding traffic collisions, traffic enforcement, and roadway hazard information using the Spillman database. This data is useful when making management and traffic enforcement decisions.
  1. Traffic Collision Data – Through use of the Spillman database, Department personnel can track the location and primary contributing factor for all traffic collisions.
  2. Traffic Enforcement Data – Through use of the Spillman database, Department personnel can track the location and offense of all traffic enforcement actions; and whether citations or warnings were issued.
  3. Roadway Hazard Information – All reports of roadway hazards, whether called in by citizen complainants, or reported during patrol activities, are recorded and maintained in the Spillman database. This information is useful when making traffic engineering decisions.

## **XXI. TRAFFIC CITATION MAINTENANCE**

- A. Municipal Court will maintain all records of issued traffic citations, including storage of completed citations, and the status of cases.
- B. Records Division will issue blank Uniform Traffic Citation books to officers using the Fastenal inventory control system; will maintain a record of issued citation books, and stores new citation books within the security of the Records Division or in the Fastenal inventory control machine.

## **XXII. RECORDS MAINTENANCE FOR OPERATIONAL COMPONENTS**

Operational components such as Criminal Investigations Division and Internal Affairs, may maintain other records and reports not classified as public records. Retention schedules for these records will be guided by applicable policy and regulations. Any records not otherwise regulated should be retained until no longer needed. Each of these operation components maintaining original records shall be responsible for the security and maintenance of such records.

- A. **CRIMINAL INVESTIGATIONS DIVISION** – Investigators may maintain records that include reports and documents compiling case files, and/or other investigatory reports.

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- B. INTERNAL AFFAIRS – Internal Affairs may keep records pertaining to background investigations, case files, after-action reports, inquiries, shooting review board files, and/or other documents relating to internal investigations.
- C. OFFICE OF THE CHIEF OF POLICE – The Office of the Chief of Police maintains training and personnel files for each officer.

**XXIII. IDENTIFICATION NUMBERS/CRIMINAL HISTORY FILE**

- A. The Spillman computer database assigns an identification number to each person with whom the police department comes into official contact. (See Master Name Index, this directive.)
- B. The Identification number is a person-oriented number assigned to one specific person. As subsequent arrests are made, or as police have subsequent official contact with the person, the originally assigned identification number is used to update the individual's file.
- C. An automated criminal history file is maintained on each person arrested. This automated file uses the assigned identification number for each person and contains the following:
  - 1. A photograph;
  - 2. A detailed record of each arrest made by the Department; and
  - 3. Other identifying information, such as scars, marks, and tattoos.
  - 4. A full criminal history is immediately available to Department personnel through NCIC/ACJIS.
- D. The Lauderdale County Detention Center maintains copies of each arrestee's fingerprints. These fingerprints are readily accessible by cross referencing the fingerprints with the person's assigned name number.