

	ROSENBERG POLICE DEPARTMENT	
	General Order 5.01 Departmental Records	
	Effective Date: 4-05-2013	Replaces: G.O. 720
	Approved:  Chief of Police	
	Reference: TBP 5.01, 5.02 5.03 and 10.02 f	

I. POLICY

The Records Unit function is critical for the effective delivery of law enforcement services. An efficient means of storing, cataloging, and retrieving records is essential to meet the management, operational, and informational needs of the police agency.

II. PURPOSE

The purpose of this policy is to assist Records Personnel in maintaining an effective record keeping system.

III. RECORDS SECURITY (TBP: 5.01)

- A. The Police Records Unit is a restricted area. Personnel assigned to the Records Unit are directly supervised by the Assistant Chief of Police. The Records Supervisor is responsible for maintenance of department records and will be provided training in Law Enforcement Records Management and the Public Information Act.
- B. Police Records Unit is restricted to assigned Records personnel only. Entry by unauthorized personnel is prohibited.
- C. The Records Unit will be secured and locked when unmanned by assigned Records personnel.
- D. Personnel authorized by the Chief of Police may have access to the Records Unit after hours for need to know information only. Authorization may be granted to Division Commanders ONLY.
- E. When entry has been made by the authorized personnel, written notification to the Records Supervisor will be made on the records entry log. The log will state the date entry was made, time entry was made, why entry was made, and what records were accessed.

IV. RECORDING OF INCIDENTS BY CATEGORY

A. In order to develop a comprehensive reporting system, it is necessary to record actions taken by law enforcement personnel whether in response to a request for service or self-initiated actions. Each reported incident occurring within the Department's service area will be categorized as one of the following and will receive a sequential incident or case number:

1. Individual's request for service, crime reports, or complaints which:
 - a. Requires an officer to be dispatched.
 - b. Requires an assigned employee to investigate.
 - c. Requires an assigned employee to take action at a later time.
2. Self-initiated criminal and non criminal cases by officers
3. Incidents involving arrests, citations (other than traffic), or summonses

B. Assignment of Case Numbers

1. As Dispatch personnel become aware of an incident occurring within the city service area that requires the initiation of police activity, they will assign an incident number generated by the CAD (Computer Aided Dispatch) system.
2. Case numbers will be assigned in numerical order. Other reports, such as an accident, impound, property and evidence recovery, etc., will be assigned the CAD incident number.
3. When an incident is assigned a CAD number, the following information regarding that incident will be entered into the CAD system by dispatch personnel:
 - a. Date and time of the initial reporting
 - b. Name and address of the complainant or victim requesting the service.
 - c. Nature of the incident and the location.
 - d. Officers assigned to the call.
 - e. Time dispatched, arrived, and returned to service.
 - f. Status, date, and time of action taken on the call.

C. Officer's Responsibilities

1. Officers will complete all required reports and turn them in to a supervisor prior to ending their shift.
2. Supervisors will review all reports for accuracy and completeness and submit completed reports to the Records Unit before the end of shift.

3. Reports returned to officers for correction will be documented by the supervisor and the supervisor shall follow up on the following shift to ensure the report has been corrected and submitted.

D. Master Name Index

The Supervisor of the Records Unit will cause a master name index to be established, maintained, and updated. The index will be an alphabetical index of the names of persons identified in the field reports as complainants, arrestees, victims, witnesses, and suspects.

E. Juvenile Records (TBP: 10.02 f)

1. A file is maintained on each juvenile (age under 16) arrested, referred or detained by an officer. Each person is assigned a single "J" number. The file includes all documents associated with the contact as indicated in this section, as well as a running list of the juvenile's detentions and dispositions. State and federal laws require juvenile files to be kept separate from adult files.
2. Juvenile fingerprints and photographs, if taken, will be turned over to the Juvenile Probation Department intake officer. Police Records will not maintain fingerprints or photographs of juveniles. Should fingerprints or photographs be turned over to Police Records they will be destroyed as specified in the Family Code sections 58.001 and 58.002, as amended.

F. Computerized Criminal History Information

1. Computerized criminal history information (CCH) is a federal/state cooperative system of a variety of databases (arrests, convictions, driving records, outstanding warrants, and others). The computerized criminal history (CCH) data base lists all arrests and convictions for offenses above Class C misdemeanor that have not been purged due to the state/federal age purge criteria.
2. Access to the TCIC/NCIC criminal history data base is limited to designated personnel. The program generates its own log showing who accessed the system. The log is computerized and maintained by Information Systems personnel.
3. Access to CCH information through local law enforcement agencies is limited to criminal justice uses. Individuals who request a copy of their computerized criminal history must do so through the Texas Department of Public Safety in Austin. Numerous agencies have been given authority to access criminal history information on prospective licensees or applicants. The statutes giving this authorization do not permit use of local police

agency TCIC/NCIC lines for obtaining the CCH. Requests of this nature are to be referred to a supervisor.

V. REPORT NUMBER AUDIT & REPORT STATUS

- A. The Records Supervisor will perform a daily audit to ensure all reports have been turned in to Records. As documents are received all reports will be placed in numerical order by service number.
- B. When a report has not been turned in within a three day period, the Records Clerk will notify the appropriate supervisor. The officer's name responsible for the report will be identified and the audit report will be sent to the officer for response. Follow ups for missing reports will be made daily until all missing reports are accounted for.
- C. Missing report notices will be sent to officers, the officer's supervisor, and the Division Commander when a report has not been received in 72 hours after the end of the shift on which it was taken.

VI. DISTRIBUTION OF REPORTS AND RECORDS

- A. The distribution of reports to the various specialized organizational components within the agency is peculiar to the particular type of report. After reviewing the reports for completeness, the patrol supervisor will forward all reports and citations with arrests to the Records Unit.
- B. All offense/incident reports will then be copied and the copies forwarded to the appropriate section within the department such as Investigations, Traffic, etc. Originals are maintained in the Records Unit.
- C. Citations are entered into the Records Management System (RMS) and forwarded to the Municipal Court.
- D. The original of all records are to remain within the Records Unit. All corrections or amendments to an original report are made by supplement and not by changing the original report. Supplementary reports will be sent to the Records Unit whenever additional information is processed.

VII. RECORDS RETENTION AND DESTRUCTION (TBP: 5.02)

- A. Records will be retained in the Records Division as specified in this policy and purged or destroyed only in accordance with the approved City Records Retention Policy and any Court Orders to expunge.

- B. Crash Reports: A copy of each a crash report will be kept for two years in numerical order filed by month in the records office. Copies will be destroyed after two years. Persons wanting accident reports older than two years can order a copy directly from the Texas Department of Transportation.
- C. Offense Reports: Because some offenses have no limitations period (can be prosecuted at any time) and because the limitations period for some offenses is based on the age of the victim at the time of the offense, offense report purging cannot simply be based on calculation of a number of years from the date of the offense. Offense reports are retained for an indefinite period of time.
- D. All Other Information Reports: The original of each Miscellaneous Incident Report will be kept for an indefinite period of time and will be kept in numerical order as offense reports are kept.
- E. Adult Arrest Files: Adults may obtain a court order to have their arrest records expunged as specified in Chapter 55 of the Code of Criminal Procedure, as amended; otherwise, adult arrest files will be kept until a report of death of the arrestee or a period of seventy-five years.
- F. Juvenile Arrest Files: (TBP: 10.02 f)
 - 1. A Juvenile arrest file will be created for every juvenile taken into custody by members of this department. Juvenile files are maintained separately from adult files and are kept secure from unauthorized disclosure.
 - 2. Persons may have their juvenile records sealed (not destroyed) by court order as specified in Family Code section 58.003, as amended.
 - 3. A court may order destruction of juvenile detention files as specified in Family Code section 58.006, as amended.
 - 4. Arrest report files on juveniles who were referred to the Juvenile Court may be purged after the person reaches age 23.
 - 5. Arrest report files on juveniles who were not referred to the Juvenile Court may be purged after the person reaches age 18.
 - 6. Police Records will not maintain fingerprints or photographs of juveniles because the juvenile was detained by police or suspected of a criminal offense as specified in Chapter 58 of the Family Code, as amended. Fingerprints and photographs taken as part of the juvenile intake process will be turned over to the Juvenile Probation Department officials. Should fingerprints or photographs be turned over to Police Records they will be destroyed as specified in Family Code sections 58.001 and 58.002, as amended.

7. Any juvenile records maintained in a Gang or Criminal Street Gang intelligence file will be maintained, managed and removed pursuant to Texas Code of Criminal Procedure Articles 61.04 and 61.07, as amended.
- G. Destruction of files and records will be done by shredding, burning, or other means of destruction approved by the Records Coordinator for the City of Rosenberg when documents exceed the required retention schedule.

VIII. UNIFORM CRIME REPORT (UCR)

- A. It is the responsibility of the Records Clerk to complete the monthly UCR and Department Crime Report in a timely manner.
- B. The Records Clerk must read and be familiar with the UCR Handbook including UCR reporting standards and must perform several audit checks for each crime reported.

IX. RELEASE OF RECORDS (TBP: 5.03)

- A. Release of information reported to law enforcement agencies is governed by the Texas Public Information Act.
- B. Any request for information contained in any report made or compiled by the department is to be referred to the Records Division.
- C. All Arrest files which are maintained in the records files and computer will be the responsibility of the Records Clerk. Copies of files will only be released to persons authorized below.
 1. Personnel of this department.
 2. Sworn officers from other agencies upon written request.
 3. Courts of law under proper process.
 4. District Attorneys.
 5. Federal Law Enforcement Agencies
 6. Probation departments.
 7. Military Personnel with a written request and signed waiver of the named person. Copies of waivers will be kept for a period of three (3) years.
- D. Juvenile arrest information is closed to public information requests and will not be released without a Court Order of signed waiver from the juvenile and a parent or guardian.
- E. Original reports will only be released to members of this Department and will be documented with date, name, file name and number and the clerk releasing the files in the Records "check-out log." A copy will be made prior to release of any original report and the Records "check-out log" will be completed upon each request. Upon

the return of original records, the Records clerk will check the contents of the return against the “check-out log” and note when and who returned the files. If there are no discrepancies in the contents of the records being checked in, the receiving person will initial the “check-out log” placing all records in its originating file location.

- F. Records personnel will respond to all requests from the courts for original records. A complete copy of the records requested will be made before removing the original from the Records Division.

- G. Individuals may request a “Clearance Letter” for purposes of travel visas, adoptions, and other reasons. Records personnel will obtain at least two pieces (one photo) of identification, along with a written request and check the person’s local record only. The Records personnel will prepare a “To Whom it May Concern” letter indicating that no criminal record has been recorded in the City of Rosenberg. State or Federal Criminal History inquiries are made directly to those agencies by the individual.