

1.454 PERSONNEL FILES

- A. The agency maintains personnel files on all full-time employees of the agency. The files are segmented into categories that are:
 - 1. Personnel orders;
 - 2. Commendations and awards;
 - 3. Reviews and evaluations;
 - 4. General & miscellaneous information;
 - 5. Employment related medical and injury information; and
 - 6. Disciplinary information.
- B. Section 1 material is retained permanently and consists of materials that include, but are not limited to:
 - 1. Hiring notices;
 - 2. Promotional announcements;
 - 3. Transfer announcements;
 - 4. Modified duty assignments;
 - 5. Suspension notifications;
 - 6. Agency committee assignments;
 - 7. Ancillary duty assignments; and
 - 8. Separation notices of resignation, retirement, or termination.
- C. Section 2 material is retained permanently and consists of materials that include, but are not limited to:
 - 1. Agency letters, certificates, and commendations;
 - 2. Agency awards and medals;
 - 3. Letters of appreciation from civilians; and
 - 4. Length of service certificates.
- D. Section 3 material is retained three years and contains:
 - 1. Employee evaluation reports; and
 - 2. Probationary employee reports.
- E. Section 4 material is retained permanently and contains:
 - 1. Position descriptions;
 - 2. Transfer requests;
 - 3. Secondary employment authorizations; and
 - 4. Miscellaneous correspondences to and from the Office of the Chief.
- F. Employee's medical records and other medical related documentation is stored separately from the Personnel file. This information includes, but is not limited to:
 - 1. Copies of Employee's First Reports of Injury;
 - 2. Copies of Supervisor's First Reports of Injury;
 - 3. Copies of medical practitioner's reports or certifications relating to the management of employee sick or accident leave;
 - 4. Copies of agency correspondence to and from employees relating to the management of employee sick or accident leave; and
 - 5. Other miscellaneous correspondence relating to the health, safety, & well-being of employees.
- G. Section 6 material may be retained permanently based on the nature of the disciplinary action.
 - 1. Placement of disciplinary material in personnel files will be consistent with LEOBR and other applicable administrative disciplinary processes.
 - 2. No material will be placed in or removed from this section without the permission of the internal affairs coordinator or the chief.
- H. Personnel files are located in a secured storage room within the Police Headquarters Building.
- I. It is the responsibility of the agency's administrative assistant to:
 - 1. Place materials in personnel files within 30 days from receipt or generation of the materials;
 - 2. Process personnel file access requests; and
 - 3. Ensure personnel files are made available to authorized requesters.
- J. Requests to access and examine personnel files will be honored and processed on a need-to-know basis.
 - 1. The chief and bureau commanders are authorized to access and examine the personnel files of any agency employee.
 - 2. Unit commanders are authorized to access and examine the

personnel files of any subordinate under their chain of command.

- 3. Employees are authorized to access and examine their own personnel files.
- 4. Employees conducting internal investigations will be permitted to access and examine personnel files of involved employees in specific, need-to-know instances as approved by the chief, bureau commanders, or IA.
- 5. Requests from personnel outside the agency to access and examine personnel files will be granted based on the legal sufficiency or need to know basis of their request.
- 6. Requesters will be allowed to examine their own personnel files during Records Unit business hours without formal requests needing to be processed so long as the records are examined in the immediate proximity of the Records Unit.
- 7. Requesters wishing to examine personnel records, but remove them from the proximity of the Records Unit must obtain approval from the agency's Administrative Assistant.
- 8. Unit commanders should routinely review the personnel files of subordinates:
 - a. When subordinates are transferred into new assignments; and
 - b. As a component of the goal setting and evaluation process.

1.454.10 Personnel Record Inspection (Sworn employees)

- A. A record relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigatory record, a hearing record, and records relating to a disciplinary decision are not personnel records for purposes of this policy.
- B. A custodian shall allow inspection of a personnel record by:
 - 1. the person in interest;
 - 2. an elected or appointed official who supervises the work of the individual; or
 - 3. an employee organization described in Title 6 of the Education Article of the portion of the personnel record that contains the individual's;
 - a. home address;
 - b. home telephone number; and
 - c. personal cell phone number.
 - 4. the United States Attorney;
 - 5. the Attorney General;
 - 6. the State Prosecutor;
 - 7. the state's attorney for the jurisdiction relevant to the record.
- C. A custodian shall redact the portions of a personnel record to the extent that the record reflects:
 - 1. medical information of the employee;
 - 2. person contact information of the employee or a witness; or
 - 3. information relating to the family of the person in interest; and
 - 4. may redact the portions of a record to the extent that the record reflects witness information other than personal contact information.
- D. A custodian shall notify the employee when the record is inspected, but may not disclose the identity of the requestor to the employee.
- E. A custodian shall deny inspection of the following items within a personnel record:
 - 1. minor rule violations (technical infraction) related to the enforcement of administrative rules that:
 - a. does not involve an interaction between a member of the public and the individual;
 - b. does not relate to the individual's investigative, enforcement, training, supervision, or reporting responsibilities; and
 - c. is not otherwise a matter of public concern.

2. records of investigation conducted by the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff.
 3. an investigatory file compiled for any other law enforcement, judicial, correctional, or prosecution purpose.
 4. records that contain intelligence information or security procedures of the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff.
 5. records, other than a record of a technical infraction, relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigatory record, a hearing record, and records relating to a disciplinary action.
 6. an application, a performance rating, or scholastic achievement information.
- F. A custodian may deny inspection by a person in interest only to the extent that the inspection would:
1. interfere with a valid and proper law enforcement proceeding;
 2. deprive another person of a right to a fair trial or an impartial adjudication;
 3. constitute an unwarranted invasion of personal privacy;
 4. disclose the identity of a confidential source;
 5. disclose an investigative technique or procedure;
 6. prejudice an investigation; or
 7. endanger the life or physical safety of an individual.