

1.700 RECORDS

- A. The agency's Records Unit is organizationally coordinated and assigned consistent with **1.200 Organization**.
- B. The Records Unit is established as the agency's central repository of all criminal and civil records and has functional responsibilities that include, but are not limited to the storage, control, retrieval, routing, review, and maintenance of agency police related records and reports.

1.702 RECORDS ACCESS

- A. The Records Unit is designated as a limited access area consistent with **1.412 Security of Agency Facilities & Equipment**.
 - 1. Bureau commanders, employees assigned to the Records Unit, and PCS personnel are granted unlimited access to the Records Unit.
 - 2. PCO personnel are granted restricted access authority to the Records Unit only for the purposes of:
 - a. Retrieving essential records and documents during non-business hours or other hours when personnel with unlimited access are not reasonably available; or
 - b. Completing specifically assigned tasks.
 - 3. Other personnel are permitted to be in the Records Unit only when:
 - a. In the furtherance of agency business or activities, they are admitted and escorted by agency employees with unlimited access; or
 - b. *Bona fide* emergencies exist.
 - 4. All persons, excepting those with unrestricted access, entering the Records Unit must document their entrance and exit on an access registry.
 - 5. Agency employees needing to obtain records or documents not otherwise on-line from the Records Unit must obtain same only from employees specifically granted unrestricted or restricted access to the Records Unit.
- B. The agency's central records are available to agency personnel on a 24 hour basis through various on-line applications. Access to certain applications and information is controlled by assigned security clearance codes and/or passwords based on employees need-to-know.

1.704 RECORDS ADMINISTRATION

1.704.05 Privacy & Security of Records

- A. All agency personnel are responsible for compliance with applicable laws, regulations, etc., pertaining to the privacy, security, and dissemination of information maintained by the agency.
- B. Applicable laws, regulations, etc. pertaining to record privacy, security, and dissemination include, but are not limited to:
 - 1. CR 8-606;
 - 2. CR 7-302;
 - 3. CP Title 10;
 - 4. State Government Art. 10-611 *et seq.*;
 - 5. COMAR 12.06.08.01 through 12.06.08.13;
 - 6. COMAR 12.11.02.01 through 12.11.02.15; and
 - 7. Code of Federal Regulations Title 28, Part 20.

1.704.10 Criminal History Files

- A. A single criminal history file is established for each person custodially arrested. Arrest files contain arrest related documents for each time a person is arrested and charged.
- B. Documents contained in arrest records include, but are not limited to:
 - 1. Final disposition finger print cards;
 - 2. Criminal history transcripts;
 - 3. Photographs; and
 - 4. Copies of charging documents.
- C. All persons custodially arrested by agency officers are assigned a State Identification Number (SID) by CRCR.

- 1. The SID is person-oriented and individual specific.
- 2. Subsequent arrests of persons will be linked by CRCR to individual's SIDs.

1.704.15 Release of CHRI

- A. Criminal history record information will not be released by agency personnel, except to other criminal justice agencies, consistent with CP 10-219, CJIS directives, and NCIC directives.
- B. Persons may inspect their own DPS CHRI. Information contained in DPS CHRI does not include arrest information from other jurisdictions. Copies of complete CHRI may be obtained only from CRCR.
- C. Attorneys may inspect DPS CHRI of their clients upon presenting written authorizations from their clients. The right of review does not extend to providing copies of DPS CHRI.
- D. CHRI may be released when officers or agents of federal, state, or local criminal justice agencies request CHRI, and delays in receiving same from CRCR would unduly impede necessary action by requesting agencies or would violate or materially impair the substantive right of persons about whom the information is released. Instances when such disclosure would be appropriate include, but are not limited to:
 - 1. State's Attorneys records checks for court;
 - 2. Court Commissioners' inquiries relating to bail hearings; or
 - 3. Request from officers of other agencies regarding CHRI in reference to ongoing investigations.
- E. Military recruiters are entitled to CHRI only after they have applied to CRCR and received approval stamps authorizing release of information by local criminal justice agencies.
- F. All requests for CHRI received from private employers will be referred to CRCR.
- G. The Security Clearance Information Act (SCIA) requires that agency point of origin CHRI be provided to investigators from certain agencies without first obtaining CRCR authorization.
 - 1. CHRI covered in SCIA includes arrests or other formal charges and any disposition information available. It does not include juvenile information, sealed record information, non-criminal fingerprint information, or intelligence or investigative file information. Requests for statewide CHRI must be referred to CRCR.
- 2. The agencies covered by SCIA are:
 - a. Department of Defense (DOD);
 - b. Office of Personnel Management (OPM);
 - c. CIA;
 - d. FBI;
 - e. Secret Service; and
 - f. Naval Investigative Service.
- H. Personnel assigned to perform records functions will check agency records when they receive *bona fide* requests for CHRI held by the agency.
 - 1. Employees finding CHRI will complete a CRCR check.
 - 2. DPS CHRI is not to be released if the information is not recorded in the CRCR checks unless the release of information is specifically approved by the Records Unit Manager or specific designee.
 - 3. Dissemination Requests will be completed by all non-agency requesters when DPS CHRI is found. Completed Dissemination Requests and xerographic copies of release forms provided by non-agency personnel will be placed in arrest jackets of applicable persons.
 - 4. Agency employees must initiate records and/or CHRI requests via the appropriate RMS function. Completed dissemination reports will be placed in arrest jackets of applicable persons.
 - 5. Requests will be marked "No Record" and returned to requesting agencies or persons if no DPS CHRI is found.

1.704.20 Juvenile Records

- A. Juvenile arrest records are physically separated from adult arrest records within the Records Unit. They are physically stored in a separate, conspicuously labeled file drawer.
 - 1. When juveniles are arrested and charged as adults, their arrest records for their specific adult arrest incident will be filed with adult arrestee records.
 - 2. Motor vehicle arrest information when juveniles are taken before District Court Commissioners will be treated as adult arrest information.
 - 3. Requests for information regarding juveniles involved in motor vehicle collisions may be released if the charges do not involve actual or potential incarceration and the juveniles have not been charged as a juvenile consistent with **2.638.06 Juvenile Charging Documents**.
- B. The contents of juvenile arrests records may not be divulged to the public, except by court order. Copies of court orders will be placed in the arrest jackets of applicable juveniles.
- C. Parents or guardians of arrested juveniles are not entitled to review or receive copies of juvenile arrest records.
- D. Federal agencies, military recruiters, and private sector employees cannot access juvenile arrest records to conduct security clearances or background investigations for employment purposes.
- E. DJS personnel may access juvenile arrest records for confidential uses.
- F. Law enforcement personnel may access juvenile arrest records in order to investigate or prosecute juveniles.
- G. Juvenile arrest records will be removed from active juvenile arrest files and stored separately when the juveniles reach the age of 18. Inactive juvenile records may be accessed only for investigative purposes by law enforcement personnel and DJS personnel.
- H. Personnel assigned to perform records functions will check agency records when they receive *bona fide* requests for juvenile arrest information held by the agency.
 - 1. Dissemination Requests will be completed by all non-agency requesters when juvenile arrest information is found. Completed Dissemination Requests and xerographic copies of any court orders or will be placed in juvenile arrest jackets of applicable persons.
 - 2. Agency employees must initiate records and/or CHRI requests via the appropriate RMS function. Completed dissemination reports will be placed in juvenile arrest jackets of applicable persons.
- I. Juvenile records may be sealed at any time and may be sealed after a youth turns 21 years old consistent with Courts and Judicial Proceedings 3-8A-27c. If sealed, the court records of a child may not be opened, for any purpose, except by order of the court.
- J. Criminal Procedure 10-105 and 10-106 provides for expungement of records for charges that were transferred back to the juvenile court from adult court.

1.704.25 Records Retention & Destruction

The agency has a records retention and destruction schedule that is approved by the Maryland State Archivists and the Office of Records Management for the Department of General Services as being in compliance with legal requirements. Fiscal Services is responsible for ensuring the Records Retention and Destruction Schedule is adhered to by agency personnel.

1.704.30 UCR

The agency actively participates in the UCR system by submitting required data through MSP to the FBI consistent with procedures established by those agencies for the collecting and submitting of crime data.

1.704.35 Release of Police Reports

- A. In accordance with **1.704.15** and **1.704.20** of this section, police reports may be released with certain limitations to certain involved parties with bona-fide interest in a case to include, but not limited to:
 - 1. Victims of crimes or their legal representatives
 - 2. Insurance companies representing claimants
 - 3. Parents of juveniles
- B. Requests for police reports by non-victims or their representing attorneys must be made through Discovery via the Office of the State's Attorney.
- C. Certain pieces of information may be redacted from any police report that is released at the discretion of the TSBC or designee.
- D. Reports for incidents for which there is an on-going, open investigation will not be released E. Requests for the release of police reports from persons without bona-fide interest in an incident will be offered the opportunity to file a Freedom of Information request with the University of Maryland Office of Legal Affairs either by mail or electronically at www.umd.edu/pia.

1.710 REPORTING SYSTEM

- A. The agency's primary field reporting system is comprised of specific RMS applications used to write, approve, store, distribute, and track criminal and incident reports.
 - 1. All sworn personnel and appropriate civilian personnel are trained in the use of the agency's reporting system.
 - 2. The agency's Report Writing Manual contains information that includes, but is not limited to:
 - a. Guidelines to indicate when reports must be written;
 - b. Specific applications used in recording necessary and/or required information;
 - c. Information required in reports;
 - d. Procedures for completing reports;
 - e. Procedures for submitting, processing, distributing, supervisory review and approval; and
 - f. Procedures for accounting for the status of reports.
- B. Other forms and reports required by other departments, agencies, and organizations are utilized by agency employees consistent with guidelines supplied by those other departments, agencies, and organizations.
 - 1. ACRS reports are to be completed consistent with the ACRS Instruction and Reference Manual.
 - 2. State of Maryland Missing Persons Reports (MSP #79) are to be completed, in addition to agency reports, during the investigation of missing person complaints consistent with **2.438 Missing Persons**.
 - 3. Animal Bite Reports (Prince George's County Z-6) are to be completed, in addition to agency reports, during the investigation of animal bites consistent with **2.404 Animal Complaints & Bites**.
 - 4. Maryland Uniform Complaint and Citations (DR-49) are to be completed consistent with the Law Enforcement Manual (DR-24), the DC/CR 90 collateral book, and **2.206 Maryland Uniform Complaint & Citations**.

1.710.10 Case Numbering System

- A. CCNs are nine digit, unique numbers that are automatically generated and assigned when entries are recorded in the CAD system.
 - 1. The first four digits represent the year in which the case, incident, or operational activity was recorded by the agency.
 - 2. The last five digits of CCNs are a one-up numbering system, starting with 00001 that resets on the first day of each year.
- B. Entries are to be made for all cases and incidents investigated by the agency and operational activities conducted by the agency.
- C. The CCN system is designed to ensure that each entry receives a number, no numbers are omitted, and that no numbers are dupli-

cated.

1.710.20 Required Reporting

- A. Complete listings of required reporting instances are contained in the Report Writing Manual. The agency's CAD and RMS is configured to ensure that agency records are made of actions taken by agency personnel whether in response to requests for service or for self-initiated contacts. Minimally, the CAD and RMS contains records and any required reports of:
 - 1. Citizen reports of crimes (including identity crime);
 - 2. Citizen complaints;
 - 3. Incidents wherein agency employees were dispatched and/or assigned;
 - 4. Criminal and non-criminal cases initiated by officers; and
 - 5. Incidents involving arrests, citations, or summonses.
- B. Minimal reporting of all cases and incidents investigated by the agency and operational activities conducted by the agency is accomplished via data entry into the CAD system.
- C. Full reports in the agency's CAD files are usually not required when:
 - 1. Complaints are unfounded or are handled exclusively by another agency;
 - 2. Complaints are canceled by Communications or supervisory or administrative ranked personnel;
 - 3. Complaints are not verified, cannot be located, or are gone on arrival;
 - 4. Alarms are the result of equipment malfunctions or human error; or
 - 5. Incidents or operations are of a purely service nature.
- D. All agency reports will be processed and submitted for supervisory review. Once the reports have been approved by supervisory personnel, they will then be submitted to the Records Unit.
- E. Reports and all related paperwork must be completed and submitted to the Records Unit by the end of the officer's tour of duty unless an extension is authorized by a supervisor. If an extension is authorized, the authorizing supervisor must then notify records by email.

1.710.25 Reporting of Multiple Incidents or Victims

- A. If it can be established that multiple incidents occurred at the same time and same location and were committed by the same person, the incident will be recorded in one case record (i.e. parking lot with several automobile vandalisms).
- B. If multiple incidents occur at different times and locations but were committed by the same person, the incidents will be recorded with individual case records. While in the same building and same times, this would also apply for:
 - 1. leased, rented or owned apartments, occupied by different owners/tenants;
 - 2. commercial office sites occupied by different renters or owners; and/or
 - 3. areas leased or owned by individuals or different companies within the same building.

1.710.30 Records Indexing

- A. The RMS contains a master name index that allows searches and retrieval of names, personal descriptor information, CCNs, and/or citation numbers of persons identified in agency reports.
- B. The RMS also contains searchable fields that include, but are not limited to:
 - 1. CCN;
 - 2. Crime codes;
 - 3. Incident locations;
 - 4. Stolen, found, recovered, and evidentiary property.
- C. Software design permits customized data searches in any report field.

1.710.40 Telephone Reporting

- A. Agency officers are permitted to take reports over the phone when:
 - 1. Suspects are unknown and are not on the scene;
 - 2. Incidents occurred earlier;
 - 3. No tangible evidence is on the scene; and
 - 4. Damage has not been incurred to governmental property.
- B. Incidents that may be reported over the phone include, but are not limited to:
 - 1. Misdemeanor theft, excepting shoplifting;
 - 2. Auto theft;
 - 3. Malicious destruction of property, excepting hate related incidents;
 - 4. Telephone misuse provided there is no apparent danger to complainants;
 - 5. Missing persons where reporting parties are not within Prince George's County, Montgomery County, or the District of Columbia; and
 - 6. Supplemental reports.
- C. In no case will officers who respond to incidents requiring reports request that victims file their initial reports over the telephone.
- D. Reports to be taken over the telephone may be referred to Duty Officers or other specifically designated officers such as those in a modified duty status.
- E. No more than one report call will be stacked awaiting telephone reporting unless victims specifically agree to waiting the extra time necessary to call them back.
- F. Initial reports cannot be taken over the telephone unless the victim's telephone numbers can be verified via ALI, ANI, or by calling victims back on phone numbers provided by them.
- G. Narratives of initial reports taken over the phone must clearly indicate that the information was reported via telephone.

1.715 TRAFFIC RECORDS SYSTEM

- A. The agency's traffic records system is fed by information provided through:
 - 1. The agency's RMS and CAD systems;
 - 2. Traffic court reports and dispositions; and
 - 3. Traffic collision information available through ACRS.
- B. Traffic collision data is collected via CAD and RMS entries and completed ACRS reports.
 - 1. Collisions will be investigated and reports completed consistent with **2.240 Collision Investigation**.
 - 2. Traffic collision data that is collected by and/or available to the agency reflects information including, but not limited to collision reports, collision investigations, and collision locations.
 - 3. Copies of completed traffic collision reports are provided by Records Unit personnel upon completion of service request forms and payment of fees consistent with the agency's records fee schedule.
- C. Traffic enforcement data that is collected by the agency includes, but is not limited to traffic citations, arrests, dispositions, and locations.
- D. Roadway hazard information provided to the agency is entered into CAD. Hazard information is relayed by communications personnel to appropriate departments, units, or organizations.
- E. Traffic collision and enforcement analysis reports may be generated and disseminated as necessary and prudent to facilitate management decisions and the agency's traffic related efforts as described in unit **2.200 Organization**.

1.720 TRAFFIC CITATION RECORDS

- A. Logistics Unit personnel are responsible for:
 - 1. Ensuring an overall, sufficient supply of Maryland Uniform Complaint and Citations are maintained by the agency within

- the secure area of the Logistics Unit; and
- 2. Ensuring a supply of citation books are maintained in the patrol supervisor supply cabinet.
- B. In order to be issued traffic citations, officers will:
 - 1. Have a patrol squad supervisor unlock the supply cabinet;
 - 2. Complete the required Citation Registry information after taking the next citation book in sequence;
 - 3. Ensure the supply cabinet is re-secured;
- C. Citation Registry pages that have been filled to capacity will be submitted by patrol supervisory personnel to the Records Unit for retention.
- D. Records Unit personnel are responsible for:
 - 1. The transmittal and retention of citation copies in accordance with MATS and court directives; and
 - 2. Ensuring citation related information is entered into the RMS.
- E. Final traffic citation dispositions are provided to the agency by the courts.

1.725 RECORDS MAINTAINED INDEPENDENTLY FROM THE RECORDS UNIT

- A. Certain operational records are maintained independently from the Records Unit in order to more appropriately restrict or facilitate record security and control.
 - 1. Active criminal investigation files are maintained by the Investigations Unit.
 - 2. Vice, criminal intelligence, confidential informant, etc. files are maintained by the CIU Commander.
 - 3. Special operations and special events files are maintained by the Special Events Commander.
 - 4. Selective enforcement analysis reports are maintained by the Crime Prevention Unit Commander.
 - 5. The breath test maintenance operator is responsible for maintaining breath test operational records as specified by the State Toxicologist.
 - 6. Police Aide operational records are maintained in the Police Auxiliary by Police Aide Supervisors and full-time staff assigned to the Police Auxiliary.
- B. Retention and destruction of records maintained independently from the Records Unit will be consistent **1.704.25**.