



# RECORDS

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## **I. CENTRAL RECORDS FUNCTION**

This directive establishes the Department's central records function, to include:

- A. Report review
- B. Report control
- C. Records maintenance
- D. Records retrieval
- E. Computer records

The Central Records Section, a component of the Administrative Services Bureau, is responsible for the central records function. The manager of the Central Records Section reports to the Administrative Services Bureau Commander.

## **II. ACCESSIBILITY OF RECORDS**

During those periods of time when the Central Records Section is closed, Communication Section supervisors have the ability to access report files. These requests will only be made when, in the opinion of the officer and his/her supervisor, the request cannot wait until Central Records reopens.

Central records information is accessible to operations personnel at all times through the Department's computerized records management systems.

## **III. REQUIRED RECORDS**

### **A. Records Repository**

The Central Records Section will maintain a repository of records, to include:

- 1. Offense reports;
- 2. On-view arrest reports;
- 3. Traffic accident reports.

These records may be maintained in a single repository or filed separately by case control number. The reports may be filed sequentially with no separation among the categories listed.

**B. Alphabetical Master Name Index**

Central Records will maintain an alphabetical master name index. A master name index is a file that includes the names of persons identified in field reports. The Central Records manager will establish written criteria for inclusion of names in the master name index, based on legal requirements and needs.

**C. Incidents by Location & Type**

The records system will maintain an index of incidents by location and type.

**D. Criminal History File**

The Central Records Section will maintain a criminal history file on each person arrested. The criminal history file will include the following documents:

1. Fingerprint card or Network Live Scan fingerprint digital image (maintained in Evidence Management Section/Identification unit);
2. State & federal criminal history transcripts (accessible by computer information systems);
3. Photograph (if available); and
4. Copy of arrest report.

The file will be sequenced by identification number. The criminal history transcripts may be excluded from Department files if they are immediately accessible through state or federal information systems. It is not necessary to have all the documents in one file so long as cross-references point to the location of each document.

**E. Stolen Vehicle Index**

The Central Records Section will maintain an index of stolen vehicles.

**IV. JUVENILE RECORDS**

Juvenile criminal history records will be maintained separately from records on adults. The Central Records manager is accountable for the collection, dissemination, and retention of juvenile records. The intent is to ensure that access to juvenile records is permitted only if there is a proper purpose and only if access is necessary. The Central Records manager will establish standard operating procedures to ensure this separate maintenance and procedures for the collection, dissemination, and retention of agency records pertaining to juveniles, to include:

- A. Separation of adult and juvenile arrest and identification records;
- B. Provisions relating to court-ordered expungement of records;
- C. Provisions governing disposition of records when juveniles reach adult age; and
- D. Provisions for access to records on a need-to-know basis only.

**V. POLICE RECORDS – EXPUNGEMENTS**

*In accordance with Annotated Code of Maryland, Criminal Procedure Article §10-105, a person who has been charged with the commission of a crime, including a violation of the Transportation Article for which a term of imprisonment may be imposed, or who has been charged with a civil offense or infraction, except a juvenile offense, as a substitute for a criminal charge may file a petition listing relevant facts for expungement of a police record. If the petition is granted, a court order is issued and all records pertaining to that arrest are removed from our systems and paper files. The police report remains intact as an investigatory file; however, a cover sheet is attached referencing the expungement order. The person's information whose record was expunged in reference to that police report may not be disseminated under any circumstances. Disclosure of such information is a misdemeanor and is punishable by law. Furthermore, an employee convicted under Annotated Code of Maryland, Criminal Procedure Article §10-108 may be removed or dismissed from public service.*

*No employee of this Department may share information from any reports involving expungement, either within or outside of this agency. Employees within the Central Records Section are tasked with handling all police record and criminal history disseminations. Please refer all requests for information and records to the Central Records Section. Contact the Central Records Manager if there any questions regarding expungement procedures.*

## **VI. TRAFFIC RECORDS**

### **A. Traffic Records System**

The Central Records Section will maintain a traffic records system containing:

1. Traffic accident data (reports, investigations, locations);
2. Traffic enforcement data (citations, arrests, locations; dispositions accessible from court & MVA computer systems);
3. Roadway hazard reports;
4. Traffic safety education reports;
5. Traffic volume data; traffic volume and distribution reports; and
6. Traffic enforcement activity reports.

The traffic records system should rapidly provide accurate information to field personnel who are performing primary traffic functions; it should also provide compilations of data upon which management decisions may be based. **Some of the required data may be collected and disseminated by other state/local agencies. It is not the intent of this directive to require dual record keeping so long as the data is readily available to the Department.** The records file should contain the locations of all traffic accidents and citations to provide a ready reference for accident/enforcement data related to specific intersections or segments of highways.

### **B. Standard Operating Procedures for Traffic Records System**

The Central Records manager will establish SOPs for the Department's traffic records system, to include:

1. Processing, maintenance, and distribution of records;
2. Retention requirements; and
3. Release of records.

The SOP will ensure prompt transmittal of required copies to affected components and to appropriate state/local agencies as required by statute or Department policy. The Department may establish reasonable fee for providing copies of accident report forms and/or accident photographs.

## **VII. STANDARD OPERATING PROCEDURES**

The manager of the Central Records Section will establish standard operating procedures to meet the following needs:

### **A. Report Distribution**

Procedures for the distribution of reports and records. The directive should specify which reports should be routed to the various specialized organizational components for follow-up, those to be distributed outside the agency, those to be released to individuals (i.e., accident and theft reports for insurance purposes), and those to be released to media representatives.

### **B. Report Status**

A system to account for the status of reports. The system should ensure that the original record is maintained in the records component and that reports are submitted according to an established schedule.

### **C. Privacy & Security**

Privacy and security precautions for the central records function in accord with agency policy, local ordinance, and/or state statutes. The privacy and security of criminal history record information (CHRI) will be in accord with U.S. Department of Justice regulations (28 Code of Federal Regulations Part 20) with regard to dissemination, completeness and accuracy, audits, security requirements, and access and review.

### **D. Records Retention Schedule**

The manager of the Central Records Section is the Department's custodian of records, and will establish a records retention schedule for all Department records consistent with state and federal laws.

### **E. Funds**

Procedures for handling funds by records personnel, to include:

1. Designation of persons permitted to receive money
2. Receipt procedures
3. Accountability
4. Security
5. Audits

The procedures should enhance security and accountability of all monies received by the agency. The Staff Inspections Section will audit the Central Records cash fund at least annually.

**F. Report Review & Classification**

All reports submitted to Central Records must first be reviewed and approved by a field supervisor. The Central Records manager will establish procedures for review and classification of all reports received in Central Records, and for the return to the approving field supervisor of incomplete or deficient reports for corrective action.

**G. Participation in UCR**

Procedures for collecting and submitting crime data to the national Uniform Crime Reporting program, either directly or through the state UCR system.

**H. Records Management System**

Procedures will be established for assigning an identification number for each person arrested. An identification number is a person-oriented number and is assigned to a specific person. Once a person has been assigned an identification number, all subsequent arrests and information concerning that person should be referenced to his or her identification number. Each person who has been arrested will have only one identification number, although the individual may have been arrested on a number of different occasions and thus have different case and arrest numbers relating to them. The system should include a procedure ensuring that identification numbers are not duplicated or skipped.

**I. Traffic Citation Control**

Procedures for maintaining records of traffic citations, to include:

1. Accounting for citations
2. Storing citations
3. Cross-referencing

Issuing and accounting for citations will be coordinated with Property Management and will be rigidly controlled.

**J. Booking Coordination**

The Booking Coordinator assigned to Central Records will review all booking records from the four district stations for quality control purposes. The coordinator will also be accountable for training.

**VIII. PROPONENT UNIT:** Central Records Section.

**IX. CANCELLATION:** This directive cancels Index Code 1000, dated 11-19-08.