

THURMONT POLICE DEPARTMENT

GENERAL ORDER	<i>Date Issued:</i> March 23, 2007	<i>Effective Date:</i> March 23, 2007	<i>Order No:</i> Chapter 14.0
<i>Authority:</i> Chief of Police <div style="text-align: center;"><i>Gregory L. Eyer</i></div>		<i>Manual Page No:</i>	
<i>Subject:</i> Records Operations		<i>Replaces Page No:</i>	
<i>CALEA Standard:</i> 82	<i>Distribution:</i> ALL	<i>Amends:</i>	<i>Number of Pages:</i> 17
<i>Related Documents:</i>		<i>Rescinds:</i>	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE:

To provide guidelines regarding the writing, approval, dissemination, retention, and maintenance of all police department records.

II. POLICY:

It shall be the policy of the Thurmont Police Department to utilize the following standards set forth in order to foster the accomplishment of the Department's mission in an accurate, efficient, and timely manner.

III. DEFINITIONS:

Incorporated in Procedures.

IV. PROCEDURE:

A. Accessibility of Records

1. Personnel assigned to the Records Section will control the accessibility of all reports, records, and other information stored in the Records Section.
2. At those times when the Records Section is closed, access to records will be limited to the supervisors, Commanders, and/or the Chief of Police. Entry to the Records Section is for official police business only. Upon conclusion of the police business, the member will immediately exit the office.

3. Personnel requiring a report, file, documents or report information shall submit a request in writing, utilizing the Report Request Form, at least 24 hours in advance to the Records Section. The Records Section will then make a copy of the file and place it in the requesting personnel's mailbox.

B. Records Operations

1. The Records Section maintains a repository of records which includes:
 - a. Offense Reports
 - b. Arrest Reports
 - c. Traffic Collision Reports
 - d. Ride-A-Long Forms
 - e. Citations (Traffic, Civil, and Criminal)
 - f. Missing Persons Reports
 - g. Telephone Reports
 - h. Vehicle Storage Reports
 - i. Incident Photographs
 - j. Court Intakes
 - k. Arrestee Identification Reports
2. All these reports are filed sequentially with like reports. Report numbers are automatically generated by ECC, i.e. 2003-001789.

C. Alphabetical Master Name Index

The Data Processing Section maintains an alphabetical Master Name Index established in the in-house computer. This Master Name Index includes cross-referencing to all arrested persons using an alias.

D. Names to be Included in the Master Name Index

1. The Master Name Index consists of the names of the following individuals:
 - a. Complainants
 - b. Witnesses
 - c. Persons Arrested
 - d. Persons involved in Collisions
 - e. Suspects
 - f. Victims
 - g. Field Interview Contacts (FIR)
 - h. Persons issued Citations
 - i. Wanted Persons
 - j. Child Sexual Offenders
 - k. NCIC Validations
2. This information is available to all authorized personnel with the Department through the in-house computer system or retrieval by Records personnel.

E. Index of Incidents by Location

Information on incidents by location is available through the in-house computer. Information can be brought up by Street name or by area using the Patrol area number or beat number.

F. Index of Incidents by Type

Information on incidents by type is available through the in-house computer. Information can be brought up by using the incident type code.

G. Index of Stolen, Found, Recovered and Evidentiary Property

1. The in-house computer maintains an index of all reported stolen, found/recovered property. All reported stolen property that lists the serial number or any other distinctive identifying number and meets MILES/NCIC guidelines will be entered into the MILES/NCIC stolen property file.
2. All evidentiary property, property held for safekeeping, and property to be destroyed are listed on Property/Evidence Held Records. The Property/Evidence Held Record will be completed following the guidelines outlined in G.O. Chapter 6. The white copies of the Property/Evidence Held Records are maintained by the Evidence Custodian and filed numerically. The pink copies are maintained by the Records Section and filed numerically.

H. Arrest Files

1. Arrestee Identification Files
 - a. An Arrest Report or Central Booking Offender Booking Information Report and Offender Arrest Information Report are made on all persons arrested by the Thurmont Police Department. A copy of the Arrest Report or Central Booking Offender Booking Information Report and Offender Arrest Information Report are maintained in an Arrestee's Identification File. Arrestee Identification Files are filed alphabetically by last name, separate from the Incident Reports. Arrestee Identification Files are maintained by the Records Section.
 - b. For minor offenses, the Arrestee Identification File will consist of an Arrest Report only.
 - c. For more serious offenses, the Arrestee Identification File will consist of an Arrest Report, Photographs, Fingerprint Cards and a career Criminal History transcript mailed to us at a later date from the Federal Bureau of Investigation.
 - d. Only one Arrestee Identification File will be maintained for each individual. The above information from each subsequent arrest will be added to that person's file.
 - e. Juvenile and adult Arrestee Identification Files are filed and maintained separately.
2. Arrest Incident Files

- a. All paperwork relating to an incident where an arrest or arrests were made will be filed in an Arrest Incident File. This file contains the following information:
 - i. An incident or alcohol influence report;
 - ii. A copy of the arrest slip for each person arrested, either in the form of the TPD Arrest/Intake Report or Central Booking Offender Information reports;
 - iii. A copy of each arrested person's photograph, if available; and
 - iv. Any other paperwork associated with that particular incident.
- b. The Arrest Incident File will be filed numerically by the incident case number in a location separate from the Arrestee's Identification File.

I. Warrant and Wanted Persons File

1. The Records Section maintains a warrant and wanted persons file in the in-house computer. Every warrant and want received will be entered into the in-house computer. This includes original legal process received from the Frederick County Circuit and District Courts, and copies of legal process from other jurisdictions.
2. Hard copies of warrant and want files will be established by following the guidelines set forth in G.O. Chapter 13.
3. When a warrant originated in Thurmont, the Records Section will use the guidelines established by the Frederick County State's Attorney's Office to determine if a warrant's offense is extraditable. If an offense fits the criteria for an extraditable offense, the Records Section will verify with the State's Attorney's Office that they will extradite and the extradition boundaries. Whenever the State's Attorney's Office authorizes extradition, a notation will be made in both the actual and in-house warrant files stating the date, who authorized extradition and the extradition boundaries.
4. Procedures to maintain both the in-house computer warrant file and the actual hard copy warrant file are as follows:
 - a. Warrant files will be maintained and entered into the Criminal Justice Information System (CJIS). The Records Section will fax a copy of the

warrant cover to PIS Personnel at the Frederick County Sheriff's Office to be entered into CJIS. Records section will request FCSO entry form, copy of quality control check, and copy of hard entry be faxed back as confirmation to be stored with original warrant. Warrants received by officers should be handed over to the records section immediately.

- b. The Administrative Assistant will then enter the warrant into the in-house computer system.
- c. Information may be received from other jurisdictions addressing warrants and wanted persons over the telephone or through the MILES/NCIC terminal. As a general policy, telephone communications will be followed up by information over the MILES/NCIC terminal.
- d. All active warrants are maintained in the active warrant file. All active warrants will be filed alphabetically.
- e. All information about the warrant will be verified through a CJIS background information retrieval before entering the warrant into the computer.
- f. Information received from other jurisdictions will be verified either over the telephone or the MILES/NCIC terminal before an arrest is made of a suspect when the computer indicates an outstanding warrant from another jurisdiction.
- g. The Administrative Assistant coordinates the assignment and execution of warrants. Anytime a warrant has been canceled, the Administrative Assistant will be notified.
- h. After a warrant is served, the arresting officer will notify the MILES/NCIC terminal operator immediately to remove the warrant from the MILES/NCIC computer.
- i. The closed warrant file is forwarded to the Administrative Assistant for removal from the in-house computer system.

J. Traffic Records

1. Accountability of Traffic Citations

- a. Traffic citations are stored in a secured, locked area located in the Records Section. Records Section personnel are responsible for issuing and maintaining traffic citations. If Records personnel are unavailable to issue a

citation book, the citation book may be issued by a shift supervisor. The Citation Book Ledger located at the citation storage site must be completed upon issuance of each citation book.

- b. Officers will complete the Citation Book Receipt attached to the front cover of the citation book. The Receipt is turned into the Records Section.
- c. Officers shall keep account of all citations issued on the tally sheet provided in the front of the citation book. When the Citation Book has been exhausted, the completed tally sheet is to be turned into the Records Section. The tally sheet will be filed with the law enforcement headquarters (yellow) copy of the citations by Records personnel after its receipt is documented appropriately on the citation book ledger.
- d. All citations are entered into the in-house computer record keeping system by the data entry clerk, to include voided citations. This will help ensure that all issued citations are accounted for by performing annual audits against the citation book ledger.
- e. Officers shall report lost or stolen citations to their supervisor immediately. A report shall then be generated through the chain of command indicating the circumstances of the theft or loss. The Administrative Assistant shall then notify the Motor Vehicle Administration of the loss or theft.
- f. Voided Traffic Citations
 - i. When officers need to void a citation, they shall submit all the copies (to include the officer's pink copy) and the reason for voiding of the citation to the Chief of Police through the chain of command with the bottom portion of the citation completed to include the officer's signature.
 - ii. The Chief of Police will then date and sign the citation and forward it to the Records Section for processing.
- g. The State's Attorney's Office will be contacted if charges against a violator need to be amended. Officers will then be informed of the proper procedure for accomplishing this.
- h. Audits of citation books will be accomplished by the Motor Vehicle Administration or at the direction of the Chief.

2. Traffic Records

- a. The Thurmont Police Department's traffic records are maintained by the Records Section. Traffic statistical reports not specifically filed in the Records Section are maintained by the section generating the report.
- b. The traffic records system contains the following records and/or data:
 - i. Collision Reports
 - (1) All traffic collision reports are entered into the in-house computer record keeping system and filed in the Records Section. Data collected includes, but is not limited to, location, date, time, weather, and primary collision cause.
 - (2) Original Collision Reconstruction reports are filed with the original collision report and maintained by the Records Section.
 - ii. Traffic Enforcement Reports
 - (1) Citations/Warnings/Equipment Repair Orders/Parking Citations:

All traffic citations, warnings, equipment repair orders, and parking citations are entered into the in-house computer record keeping system and filed in the Records Section. Data collected includes, but is not limited to, location, date, time, and violation.
 - (2) Arrests

All traffic arrests are entered into the in-house computer record keeping system and filed in the Records Section. Data collected includes, but is not limited to, location, date, time, and violation.
 - iii. Roadway hazard incidents are reported immediately to the department responsible for their correction. Records of roadway hazards are captured in the Calls for Service module of the in-house computer.
 - iv. Traffic enforcement activity performed by uniformed road patrol officers is entered into the in-house computer record keeping system. A statistical report is generated summarizing the total traffic enforcement activity for each month.

3. Traffic Report Review Process

- a. All traffic reports (reports, citations, etc.) where no arrest is involved shall be submitted for supervisory review before the investigating officer goes off duty. A supervisor shall review the reports to ensure that they contain complete and accurate information.
 - b. All paperwork relating to the same incident shall be submitted together.
 - c. After supervisory review, all traffic reports that do not relate to a criminal case are forwarded to the Records Section. If the traffic report involves a Central Booking arrest, Records personnel will match up the Central Booking packet with the related paperwork. Records personnel shall review traffic reports, enter the information required into the in-house computer record keeping system and forward copies as necessary to appropriate agencies.
 - d. Reports not completed or needing further investigation will be assigned to the investigating officer for follow-up and supplemental reports will be submitted.
4. Records Processing
- a. Traffic Citations
 - i. All traffic citations, including voided citations, are entered into the in-house computer record keeping system in the Citation module.
 - ii. The citation numbers, to include citations where there is only a yellow copy and voided citations, are listed numerically on a District Court transmittal, form DC/CR 95.
 - iii. The original transmittal and the white Court copies of the citations, or in the case of the voided citation all the copies, are forwarded to the District Court.
 - iv. The yellow Law Enforcement copy, or in the case of a voided citation a photostatic copy, is filed numerically by officer and maintained in the Records Section.
 - b. Traffic Warnings

All traffic warnings are entered into the in-house computer record keeping system. Warnings are for Thurmont Police Department informational

purposes only. After the warning is entered into the computer, the warning is destroyed.

c. Equipment Repair Orders

All Equipment Repair Orders (ERO) are entered into the in-house computer record keeping system. After the ERO is entered into the computer, it is forwarded to the Maryland State Police, Automotive Safety Enforcement Division.

d. Parking Citations

i. All parking citations are entered into the in-house computer record management system, and maintained for payment.

ii. Paid citations will be filed and maintained in accordance to the Department's Record Retention Schedule.

iii. Unpaid citations will remain active in accordance with Thurmont Town Ordinance Chapter §126-47 (Failure to Pay Fine)

(1) The Administrative Assistant and Secretary will be given logon Ids to access MVA Traffic Control/Parking Violation Program.

(2) The Secretary will be responsible for entering MVA monthly parking citations into violation flag system.

(3) Upon satisfaction of all delinquent tickets, the Administrative Assistant and/or Secretary will issue MVA form VR-119 and release "flag" to the FTP directory no later than 3:00 p.m. by Thursday of each week.

(4) "Flagging" will be done in accordance with MVA PVF User Guide.

(5) The Administrative Assistant will be responsible for acting as MVA System Administrator.

e. Collision Reports

All traffic collision reports are entered into the in-house computer record keeping system. Then the following distribution is made:

- i. The Maryland State Police copy is forwarded to MSP, Central Records.
 - ii. If the collision involves a Thurmont Police Department vehicle, a copy of the report will be sent in detailed report format, through the chain of command ultimately to the Office of the Chief.
 - iii. If the collision involves a telephone pole, a copy of the report will be sent to Bell Atlantic.
 - iv. If the collision involves Town of Thurmont property, a copy of the report will be sent to the Town Clerk.
 - v. The Police Department copy is filed by incident number and maintained in the Records Section.
- e. Traffic Arrests

The traffic arrest offense and any citations and collision reports relating to the traffic arrest are entered into the in-house computer record keeping system. Copies of all paperwork relating to the arrest are copied and sent to the State's Attorney's Office. Copies of the citations and collision reports are distributed and filed as outlined above.

K. Recording Arrest Information

1. An Arrest Report is to be filled out for every arrest, including physical arrests on traffic offenses. This report will be completed by either Central Booking or the arresting officer and should be filled out as completely and accurately as possible.
2. Central Booking Arrests
 - a. All on-view adult arrests will be processed through Central Booking, to include traffic offenses (except those identified in G.O. Chapter 35) and warrant arrests where the warrant allows the subject to be taken before a District Court Commissioner.
 - b. Central Booking personnel will obtain all descriptive information on the subject to include name, date of birth, address, etc. All subjects processed through Central Booking are fingerprinted and photographed.
 - c. Automated fingerprinting is done and forwarded to the State immediately for identification. If the person was previously arrested, the State will respond

with the person's name and established State Identification Number. If the person was never arrested before, the State will relate such and assign a State Identification Number to that person.

- d. Fingerprints and photographs are retained in the Central Booking computer and are available for retrieval upon request.
 - e. A Central Booking packet with all descriptive information in the form of an Offender Arrest Information Report and Offender Booking Information Report plus a computer generated photograph are forwarded to the Thurmont Police Department where it is matched with any other paperwork from the incident.
 - f. The arrest packet is forwarded to the Records Section for processing.
 - g. The information gathered through Central Booking is also available for statistical reports.
3. Arrests Not Processed Through Central Booking

Under the following circumstances an arrested person should not be processed through Central Booking. In these incidences, an Arrest/Intake Report, will be completed on each person arrested by the arresting officer.

- a. Circuit Court Warrant Arrests
 - i. If a subject is arrested on a Circuit Court warrant and the Circuit Court will see them that day, the officer will not take the person through Central Booking.
 - ii. If a subject is arrested on a Circuit Court warrant and the court is not in session, the officer will check the warrant to determine if the subject can be processed through Central Booking.
 - (1) If the warrant is not marked that the person can be taken before a Judicial Officer of the District Court, the person will not be taken through Central Booking.
 - (2) If the warrant is marked that the person can be taken before a Judicial Officer of the District Court, the person will be processed through Central Booking.

b. Juvenile Arrests Or Referrals

No juvenile will be taken through Central Booking.

c. Fingerprinting and Photographing

When a person is not taken through Central Booking, fingerprints and photographs will be taken on:

- i. Circuit Court original indictments
- ii. Juvenile Arrests following guidelines set forth in General Order Chapter 9.

4. Records Processing

a. Computer Data Entry

All adult arrests, juvenile arrests, and juvenile referrals are entered into the in-house computer record keeping system as follows:

- i. The incident will be entered into the offense module.
- ii. If the person arrested is an adult, the person's information will be entered into the Arrest module from the person's arrest report(s).
- iii. If the person arrested is a juvenile, the person's information will be entered into the Juvenile module from the person's arrest report.
- iv. If a juvenile referral is done, the referred person's information will be entered into the Juvenile module from the person's referral report.

b. Processing Fingerprint Cards

- i. All fingerprint cards where the prints were taken by an officer will be completely filled out by Records personnel.
- ii. On juvenile arrests, one state fingerprint card will be submitted to the State Central Repository and one fingerprint card will be retained in the juvenile's Arrestee Identification File.

c. Processing Photographs

- i. The back of each photograph will contain the name and date of birth of the arrested person.
- ii. Photos will be placed into the arrested person's Arrestee Identification File.

L. Arrest Identification Numbers

One criminal history file is maintained for each person custodially arrested in the form of an Arrestee Identification File. The numbering system is based on the subject's name and date of birth. The arrestee's identification is always verified before placing the criminal history information in the subject's file. See Section H of this order for guidelines in establishing Arrestee Identification Files.

M. Records Maintained Outside of the Records Section

1. Most reports generated by the Thurmont Police Department are maintained in the Records Section with older reports stored in Records Storage. Some records, usually of either a confidential nature or containing such information which renders them more appropriately stored in a specific unit or section, are maintained outside the Records Section.

N. Separation of Juvenile and Adult Records

1. The Records Section maintains a separate file for juvenile and adult records, even in cases where the same person has both a juvenile and adult record.
2. A juvenile is defined as anyone under the age of 18. When a juvenile reaches the age 18, any additional arrest records will be placed in the subject's adult file. The subject's juvenile records will be maintained in a separate location even after the subject reaches the age of 18.

3. Computer Arrest Records

Juvenile and adult computer arrest records are maintained in separate modules of the in-house computer record keeping system.

- a. Juvenile records are placed in the Juvenile module. The Juvenile module does not allow the placement of adults in this module. The entry will be rejected based on the subject's date of birth.

- b. Adult records are placed in the Arrest module. If the subject's birth date indicates that the subject is a juvenile, the computer will state that the subject is a juvenile and will ask if this should be overridden. The only juveniles that should be placed in the Arrest module are juveniles that have been waived to adult status due to the nature of the criminal offense.

4. Arrestee Identification Files

- a. As each juvenile Arrestee Identification File is established, it is marked that it is a juvenile file. Guidelines set forth in Section H of this General Order will be followed in establishing an Arrestee Identification File.
- b. Adult and juvenile Arrestee Identification Files are filed alphabetically in separate locations.

O. Uniform Crime Reporting Procedures

- 1. All incident and arrest report data is entered into the in-house computer record keeping system. The offense classification code from each report is entered into the computer. The offense codes are then automatically assigned a Uniform Crime Reporting (UCR) code by the computer.
- 2. At the end of each month, Records personnel will run the computer generated UCR Report and forward it, along with any manually generated supplements, to the Maryland State Police in Pikesville.

P. NCIC Validations

- 1. Records section is responsible for completing monthly received NCIC Validations.
 - a. Property: Have officer contact victim/owner to determine if property has been recovered. Supplement with findings must be placed in original case file.
 - b. Warrants: Send to F.C.S.O to run for updated information. Place results with original warrant file.

Q. Criminal History Record Information

- 1. Criminal history record information (CHRI) obtained from the MILES/NCIC systems, or any other departmental file, is available to departmental employees for the purpose of investigation. Criminal history record information is protected

information and will not be disseminated except as permitted by laws and regulations of the state and federal level. CHRI obtained and/or disseminated will be documented in the CJIS CHRI Dissemination Log (TPD Form 14.0B), which will be stored in a binder next to patrol room's shared printer. Any questions regarding privacy and security must be referred to the Department's legal advisor.

2. Criminal history information will only be requested for criminal justice purposes. CHRI can only be disseminated to the subject of the background check and other agencies or entities authorized to receive CHRI. Criminal justice agencies entitled to adult arrest information include:
 - a. Federal, State, County and City law enforcement agencies.
 - b. The courts, State's Attorney's Office and Parole and Probation.
 - c. Military police for the purpose of a criminal investigation. Military recruiters must apply and obtain a stamped approval authorizing the release of information from local criminal justice agencies from Maryland State Police.
 - d. Department of Defense.
 - e. The Secret Service.
 - f. Individuals or their attorneys may request their own Thurmont Police Department local criminal history record information.

ATTACHMENTS:

Attachment 14.0A - MVA PVF User Guide (29 pages)
Form 14.0B – CJIS CHRI Dissemination Log

DOCUMENT DATES:

Amended Date: June 6, 1010

Review Date:

Review Date:

Rescinds:

Order Written by: Chief of Police

Order Edited and Approved by: Chief of Police

*CALEA Standards included in this Order
Chapter 82*