

	BRIDGEPORT POLICE DEPARTMENT POLICY AND PROCEDURE GENERAL ORDER	Distribution	General Order Number
		ALL PERSONNEL	10.09
		Original Issue Date	Reissue/Effective Date
		MM/DD/YY	MM/DD/YY
Order Title: FREEDOM OF INFORMATION		Accreditation Standard: POSTC:	Section
			10
		Section Title	
		SUPPORT AND TECHNICAL SERVICES	
Rescinds: 1.1.5		Armando J. Perez, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE:

The purpose of this general order is to establish a written directive that describes the Bridgeport Police Department's guidelines and procedures related to the Freedom of Information Act.

II. POLICY:

All officers will be familiar with and comply with all Federal and State statutes regarding release of information gathered by the Bridgeport Police Department and this Order. Compliance is mandatory but if a question arises as to whether information may or may not be released, the inquiry should be referred to the City Attorney's Office for research.

III. PROCEDURES

A. Disclosure of Information

1. Generally, all records maintained or kept on file by any public agency shall be public records and every person shall have the right to inspect such records.
2. The right to information, however, is not absolute. The following items **CANNOT** be disclosed:
 - a. Not guilty findings,
 - b. Dismissals (victim or his legal representative may obtain information that case was dismissed within one year of disposition, but defendants identity shall not be released),
 - c. Nolle after 13 months of disposition,
 - d. Accelerated rehabilitation after expiration, if dismissed,

- e. Pre-trial alcohol program, upon application,
- f. Youthful offender, upon application,
- g. Pre-trial family violence program, upon application,
- h. All records of cases of juvenile matters,
- i. Name and address of victims of sexual assault, risk of injury, impairing morals or any attempts thereof shall only be disclosed upon order of the court except that such information shall be available to the accused.

3. The following items **NEED** not be disclosed:

- a. Informants,
 - b. Information in a continuing investigation, if prejudicial to the anticipated action,
 - c. Investigatory techniques not otherwise known to the public.
4. Judges have the authority to close case files normally open to the public and open case files normally closed to the public. Officers should keep this in mind when testifying.

B. Erasures

- 1. Erasure alone, per statute and court decision, does not mean the physical destruction of documents. It involves sealing the files and segregating them from materials that have not been erased, and protecting them from disclosure.
- 2. Erasures include:
 - a. Not guilty findings,
 - b. Dismissals,
 - c. Nolle after 13 months,
 - d. Accelerated rehabilitation after expiration, if dismissal,
 - e. Youthful offenders under special circumstances,
 - f. Certain juvenile records.

C. Release of Officer Information

- 1. No member of the Bridgeport Police Department shall release the home address or phone number of any other Department member, sworn or non-sworn.
- 2. Officers are not required to supply home addresses or phone numbers as a matter of public record but must supply this information to the Office of the Chief of Police or designee.

D. Release of Information from COLLECT, NCIC, SBI

1. Information contained in the files of the State Police Bureau of Identification relative to the commission of crime by any person shall be considered privileged and shall not be disclosed for any personal purpose or in any civil court proceedings except upon a written order of the court. This includes information obtained from NCIC, COLLECT and any other computerized system that supplies similar information.
2. All information contained in the files of the State Police Bureau of Identification relative to criminal records and personal history of persons convicted of crimes shall be available at all times to all peace officers engaged in the detection of crime, to all prosecuting officials and probation officers for the purpose of furthering the ends of public justice and to the State Bar Examining Committee.
3. You may not obtain a criminal history check for a private agency or individual.
4. It is the policy of the COLLECT system (all NCIC inquiries are channeled through COLLECT) that all information obtained via COLLECT be used for criminal justice/law enforcement purposes only. Under no circumstances will COLLECT be used for personal reasons or curiosity.
5. Release of information obtained from any source must meet the State of Connecticut Freedom of Information policies.
6. Employees who are in doubt whether or not information may be released should make an inquiry to the City Attorney.