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	<p align="center"><b>City of Charleston Police Department Policy and Procedure Manual</b></p>		EFFECTIVE DATE: <b>02/01/08</b>
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DISTRIBUTION: <b>ALL</b>		<b>CALEA: 22.2.7 c; 81.2.6; 82.2.4</b>	
BY THE AUTHORITY OF THE CHIEF OF POLICE: 			

### 53.1 TELEPHONE COMMUNICATIONS WITH THE PUBLIC (CALEA 81.2.6)

The telephone is the primary method by which the services of the Charleston Police Department are requested. All incoming telephone calls must be answered as promptly as possible to determine if a need for police service exists and if so, to provide the required service.

### 53.2 TELEPHONE COURTESY (CALEA 22.2.7 c)

In answering telephone calls employees should courteously greet the caller, identify themselves, and ask to be of assistance. Employees should make every reasonable attempt to either supply requested information and assistance or to promptly refer the party to the proper person or other public or private agency for assistance. When placing telephone calls employees should identify themselves to the individual answering the telephone.

### 53.3 INTRA-DEPARTMENTAL COMMUNICATIONS

The Department maintains and constantly strives to improve its intra-department communications to provide for rapid and efficient police response and to facilitate management control. All Department communications including radio, telephone, teletype, and mail are reserved for official business and are not to be used for personal purposes. Certain limited use of department telephones may be permitted for personal emergencies or urgent situations. Any employee who abuses this privilege or whose personal use of department telephones becomes disruptive may be prohibited from future use and will be subject to discipline.

### 53.4 RECORDS (CALEA 82.2.4)

The Department in compliance with statutes as a public service, as an investigative and administrative aid, and to provide statistical data, maintains records. Department records are confidential; however criminal records and arrest information will be released upon approval, to those persons who qualify as peace officers under the Penal Code or to other appropriate public agencies. In addition the Department will provide, for a fee, crime and traffic reports and traffic photographs (when available) to crime victims, parties to accidents, and other sufficiently interested parties. Except for approved government agencies, the Department will not release criminal or arrest information from its files to prospective employers.

### 53.5 PREPARATION AND PROCESSING OF OFFICAL COMMUNICATIONS

Reports completed by departmental personnel are read by many people, and often are forwarded outside the Department. Because much time can be wasted by readers who are forced to decipher illegible writing or to return inadequate reports for

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correction, and because the image of the Department is reflected in the writings of its members, it is essential that reports are submitted on a timely basis, are neatly printed or typed, and are concise, accurate, and complete.

A written report must be completed and be promptly submitted to a supervisor when any unusual situation is encountered, for example: any physical arrest, stress contacts with citizens, incidents involving hazardous materials, shooting incidents, aircraft or rail crashes, requests for assistance or back-up from other police officers, injuries to departmental employees, or damage to departmental equipment, and any other unusual incidents. Officers and supervisors are responsible to ensure that proper reporting mechanisms are utilized for each type of event when completing a written report. Accurate, timely, and complete reports are fundamental to this Department's efficient and effective operation. Departmental personnel will therefore make every effort to complete all forms to the best of their ability and submit them through proper channels as quickly as possible. No employee may initiate official departmental correspondence to persons outside the Department without permission of an administrative officer or civilian counterpart. Letters of official Departmental business must be written on official Department letterhead over the signature of the Chief of Police. All correspondence other than that specifically exempted by the Chief of Police must be forwarded to his attention through appropriate channels.

The following rules will govern the incident report format:

1. Print legibly or type. If pen is used, it must be a black ink pen;
2. Check all copies to ensure that they are legible;
3. Only those forms authorized by the Chief of Police, and given a designated number will be utilized by departmental personnel;
4. Each report required of departmental personnel must be accurately completed and submitted to its proper destination through channels according to the time frame designated in the procedures for the processing of that report; and
5. Any employee of this Department who will steal, illegally alter, corrupt, withdraw, falsify, void, forge or deface any report, document, or instrument of this Department will be subject to corrective or disciplinary action.

### 53.6 CONFIDENTIAL EMPLOYEE RECORDS

#### **Subpoenas for Employee Records**

Upon receipt of a subpoena for a current employee's record, the Department will notify the employee of the request so that the employee will have the opportunity to retain his/her own legal counsel and seek the court's protection from the disclosure sought by the subpoena.

If the employee does not take any action to quash the subpoena, the Department will review the information in the file to determine whether there is any information in the file which would jeopardize an investigation, disclose the identity of an undercover officer or other protected person, or would compromise the privacy of any unrelated third parties. If the Department determines that there is any such information in the file that should not be disclosed, it will take action to seek protection relating to those particular documents or information only. Any and all other information in the file will be released in response to the subpoena if the employee does not take action to quash it by the date on which a response is due.

#### **FOIA Requests**

Upon receipt of a FOIA request for a current employee's records, the Department will notify the employee of the request so that the employee will have the opportunity to retain his/her own legal counsel and seek protection from the disclosure sought by the request. In the absence of any employee action, the Department will submit the file to legal counsel for

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review. The Department will respond by providing any information which legal counsel advises must be provided pursuant to FOIA. To the extent that any item is determined by legal counsel to be exempt from disclosure under the Act, the Department will exercise its right not to provide the document or protected information. All information not exempted will be disclosed as required by law.

### **Requests Relating To Former Employees**

When FOIA requests or subpoenas are received for records pertaining to former employees, the Department will take such action as is appropriate to protect any privileged or confidential information as discussed above. However, notification of former employees is not required prior to departmental response to the request.

## 53.7 DESTRUCTION OF CRIMINAL RECORDS

Section 17-1-40 of the Code of Laws of South Carolina provides for destruction of various information gathered on an individual after the person has been processed within the judicial system and the criminal charges have been dismissed or finding of the innocent has been declared by the court. Section 17-1-40 states: "Any person who after being charged with a criminal offense and such charge is discharged or proceedings against such person dismissed or is found to be innocent of such charge the arrest and booking record, files, mug shots, and fingerprints of such person will be destroyed and no evidence of such record pertaining to such charge will be retained by any municipal, county or State law-enforcement agency".

A person whose charges have been so disposed must still obtain an expungement order signed by a circuit court judge in order to remove that entry from their NCIC record.