


**LEESBURG POLICE DEPARTMENT
REGULATIONS AND GENERAL ORDERS MANUAL**

General Order Number: 602	Section: INFORMATION SERVICES	Effective Date: FEBRUARY 2023
Title: <p style="text-align: center;">RECORDS</p>		
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I. ADMINISTRATION

A. Records Security and Privacy.

1. Records files are stored in the Records Section. The Records Section is a restricted area that has 24-hour accessibility. Access to the Records Section is limited to the command staff, communications technicians, records clerks, officers serving as communications technicians, equipment service technicians, and observers approved by the Administration and Support Services Division commander. Original records are permitted out of this area only upon approval of the ECCM or the Administration and Support Services Division Commander.
2. The Computer Aided Dispatch/Records Management System runs on virtual servers that create checkpoints in which data is backed up daily. All checkpoints are stored offsite at a data center.
3. The release of information from the Records Section will be in accordance with the Code of Virginia, §19.2-389. Employees with concerns or questions regarding the release of information shall contact the Administrative and Support Services Division Commander, or designee.
4. Department employees shall not confirm or deny the existence or non-existence of a criminal history record to persons or agencies that would not be eligible to receive the information.
5. When releasing criminal history information, personnel shall make the necessary entries in the records dissemination log.
6. Persons or agencies requesting criminal history information other than for Leesburg convictions shall be referred to the Central Criminal Records Exchange in Richmond, Virginia.
7. Juvenile Criminal Records. The Emergency Communications Center Manager (ECCM) or designee, is responsible for the collection, retention and dissemination of juvenile records. All juvenile offense/arrest reports are clearly marked "JUVENILE" to differentiate between juvenile files and adult files, even in cases where the same person has a juvenile and an adult record. Automated juvenile arrest records are maintained in the Law Enforcement Records Management System (LERMS) in a separate file from adult records. Disposition and conviction data on juvenile arrests are not released under any circumstances. Anyone requesting this information will be referred to the Loudoun County Juvenile and Domestic Relations Court.
8. The release of criminal history record information to an individual or entity not included in §19.2-389 of the Code of Virginia is unlawful and unauthorized. An individual or criminal justice agency that releases criminal history record information to a party which does not clearly belong to one of the categories of agencies and individuals authorized to receive the information as outlined in §19.2-389 of the Code is subject to being denied access to state and national criminal history record information on a temporary or permanent basis and to the administrative sanctions described in 6VAC20-120-100. Unlawful dissemination contrary to the provisions of this chapter is also a Class 2 misdemeanor (see §9-195 of the Code of Virginia).

B. Records Retention Schedule.

The ECCM or designee, will retain records for the Leesburg Police in accordance with the Code of Virginia, §42.1-76, "The Virginia Public Records Act". No records are to be retained, transferred, destroyed, or otherwise disposed of in violation of this schedule. Any questions concerning record retention should be addressed to the ECCM or designee. The ECCM or designee will maintain a current and accurate copy of the "Records Management Manual for Local Government Agencies", as prepared by the Virginia State Library and Archives.

- C. Incident Based Reporting.
The Department utilizes an automated incident based reporting system compatible with the Virginia Central Criminal Records Exchange. The Records Section, on the 5th day of the month, shall compile a monthly Incident Based Report (IBR). All supervisors shall ensure the timely filing of reports of investigation that may change the type or status of an incident. All reports shall be submitted so they reach the Records Section no later than the 5th day of the month following the date of occurrence or change of status. The ECCM, or designee shall submit the automated monthly incident based reporting data to the Virginia State Police, who forwards the data to the Federal Bureau of Investigation. Final reports must be filed prior to the due date as set by the Virginia State Police.
- D. Records Accessibility.
Records Section and Communications Section personnel have 24-hour access to records information and are capable of forwarding that information to operational personnel upon request.
- E. Status of Reports.
1. The original of all incident reports will be retained in the Records Section. Copies may be made for investigative purposes, but original reports may not be removed from the Records Section.
 2. The case status of all open cases will be reviewed every 30 days by the supervisor of the investigating officer. The Administration and Support Services Division Commander or designee, will conduct an annual inspection of the complaint control recording and field reporting process. This inspection will include a random audit, a review of all phases of the system, and include recommendations. See also General Order 301 Criminal Investigations.
- F. Reporting System.
1. Personnel of the Leesburg Police will prepare official documentation of police activity, whether originating from a citizen or departmental personnel.
 2. Documentation will be prepared in CAD, LERMS, or both for the following incidents when they occur within the Town of Leesburg:
 - a. Citizen reports of crime;
 - b. Citizen complaints;
 - c. Citizen requests for services of the Department;
 - d. Criminal and non-criminal cases initiated by departmental personnel;
 - e. Incidents involving arrests, citations or summonses.
 3. The documentation of these events begins with a Computer Aided Dispatch (CAD) entry by the communications technician. To ensure accuracy, personnel should initiate a call for service in the CAD system as soon as they become aware of the event. This may be accomplished by radio, telephone or in person at the Communications Section. Communications Section personnel should enter the event information as soon as it is received.
 - a. If all parties involved have left the scene of a reported incident, and it is determined that the event probably occurred or did occur, an incident report will not be required, and the radio disposition shall be "G.O.A."
 - b. If after the investigation it cannot be established that the event occurred, or that there is any likelihood or probability that it did not occur, an incident report will not be required, and the radio disposition shall be "unfounded".
 4. In the event that a citizen of the Town of Leesburg wishes to report an incident, but is not certain of the jurisdiction that incident occurred in, the Leesburg Police shall document the incident appropriately and follow up accordingly.
 5. If the event is for an offense involving a violation of the parking ordinances, a Parking Violation Citation may be issued and an incident report will not be required. The radio disposition shall be "Citation."
 6. Motor Vehicle Crash Investigation. See General Order 211 Traffic Crash Investigation.
 7. Towing of Motor Vehicles. See General Order 212 Abandoned Towed Vehicles.
 8. Any investigation of a missing/runaway person not yet 21 years of age shall, in addition to other reporting requirements, include a Virginia Missing Children Information Clearinghouse Report (SP 183) appended to the Report of Investigation.
 9. Officers conducting field interviews shall be guided by General Order 201 Patrol.

10. The Loudoun County Humane Law Enforcement is the primary enforcement agency for violations of the Town's Code of Ordinances, Chapter 4, Animals. Officers have the authority to, and shall, enforce applicable violations citing the specific Town Code section. An incident report shall be completed whenever an arrest is made under these circumstances. All other assistance provided to Humane Law Enforcement will be documented in the Computer Assisted Dispatch (CAD) system.
11. Officers that respond to an alarm where no criminal activity is found are not required to document the incident with an incident report.

G. Supervisory Review.

Every form of documentation submitted by an employee will be reviewed for neatness, legibility, completeness, and accuracy by the supervisor of the team or section to which the employee is assigned. Documentation not approved will be returned to the writer for necessary corrections.

H. Distribution of Reports.

1. All approved reports will be electronically submitted to the Records Section for transfer into the Law Enforcement Records Management System (LERMS). The Records Section shall file all incident reports and confidential supplements in numerical sequence. Supervisors that request the Criminal Investigations Section to conduct a follow-up investigation shall indicate so on page one of the incident based report. The Criminal Investigations Section supervisor(s) will review all reports received by the Records Section and will determine if follow-up by CIS is warranted. The Criminal Investigations Section supervisor, or designee, will communicate directly with the reporting officer, or their supervisor, on the status of each case marked for CIS follow-up.
2. Copies of crash reports involving Town vehicles, injuries on Town property, damages or loss of Town property, or incidents where there may be a Town liability will be forwarded to the Town Attorney's Office or designee. Copies of reports will be authorized for release to other public law enforcement agencies on a case-by-case basis. All requests for information will be handled in accordance with the Code of Virginia.

I. Distribution of Virginia Uniform Summonses.

For misdemeanor arrests and traffic offenses in which the person arrested is released on a Virginia Uniform Summons, all applicable sections shall be completed, and the documentation distributed as follows:

1. Page 1 (Original) - Court copy;
Page 2 - Department copy; (not required for Electronic Summonses)
Page 3 - Defendant's copy;
Page 4 - Officer's copy (not required for Electronic Summonses)
2. Not more than one violation shall be entered on a Virginia Uniform Summons.

III. RECORDS

A. Master Name Index.

The Records Section will maintain an automated alphabetical index of all persons identified in all field documents.

B. Incident Indexing.

1. An automated incident report indexed by geographic location and UCR code will be generated monthly by the ECCM, or designee, and maintained in the Records Section.
2. The Records Section transfers all stolen, found, recovered, and State required evidentiary property into the Records Management System. All reported stolen property that lists a serial number or other distinctive identifying number and that meets all NCIC and VCIN requirements will be entered into the National Crime Information Center Stolen Property File at the direction of the investigating officer.

C. Traffic Records System.

1. The Traffic Management Unit supervisor or designee, is responsible for the processing, maintenance, and distribution of the Leesburg Police traffic records.

- a. Team supervisors shall be responsible for filing all crash reports to the TREDs program and summonses with the Records Section prior to the end of their shift.
- b. Records Section personnel have access to the TREDs program for copies of crash reports.
2. All documents and records are retained according to guidelines established by the "Virginia Public Records Act", Code of Virginia, §42.1-76.
3. The Operational Support Section supervisor or designee, will compile information for the annual report that shall include all traffic enforcement and crash investigation data collected by the Department during the year.
5. Crash information will be gathered from crash investigation reports submitted to the TREDs program. Analysis of traffic crashes will include at a minimum the following factors:
 - a. Month, day and hour;
 - b. Location and direction, weather and road conditions;
 - c. Driver action, to include violations;
 - d. Type of vehicles involved.
6. Roadway hazards that come to the attention of the Department shall be documented as a traffic complaint in CAD. Officers are dispatched to the hazard to determine if immediate action is required. The appropriate Town department will be notified of any hazards that need to be corrected.

D. Handwritten Summons/Citation Accountability.

1. Virginia Uniform Summons books, Parking Citation books, and Warning Citation books will be received and distributed by personnel designated by the Administration and Support Services Division commander. The designated personnel shall maintain an accurate inventory of summonses/citations received by the Department, summonses/citations distributed to officers and summonses/citations issued to citizens by officers. All officers and supervisors shall ensure they maintain an adequate supply of summonses for their needs.
 - a. Officers requiring Virginia Uniform Summonses and/or the Notice of Parking Violations are to obtain them from the Records Section. Officers shall manage their inventory of summonses/citations so as to ensure that they have adequate materials at all times.
 - b. All summonses/citations will be turned into supervisors prior to the end of the shift. Supervisors shall review summonses/citations and deliver them to the Records Section in a timely manner. The Records Section will forward the summonses to the appropriate court. Personnel assigned by the ECCM or designee shall complete data entry of the information contained on the summonses/citations.
 - c. In the case of a lost or stolen summons/citation, the officer to whom the summons/citation was assigned shall prepare a memorandum to the Team supervisor explaining the incident. The supervisor shall review the incident with the officer and handle appropriately. The memorandum shall be kept by the supervisor in the officer's file.
 - d. The voiding of a handwritten summons/citation shall be handled in the following manner:
 1. If an error is made while writing a handwritten summons/citation, or if a handwritten summons/citation is not usable, officers may void the summons/citation. A voided handwritten summons/citation shall be signed and dated by the Team supervisor, with the reason for error noted, and forwarded to the Records Section. Records Personnel will maintain a file of voided handwritten summonses/citations. A citizen wishing to contest a parking citation will be provided information on the appeals process to request a hearing in General District Court.
 2. If it appears a summons is issued improperly or inappropriately, the officer and supervisor shall contact the Commonwealth Attorney immediately for guidance on the matter;
 3. Only with the approval of the Commonwealth Attorney may officers request that the charges brought forth on a summons not be prosecuted;

E. Electronic Summons/Citation Accountability

1. The Electronic Summons (E-Summons) system will be the primary means of issuing summonses/citations. Hard copy summonses may be issued when an E-Summons system is unavailable to the issuing officer.
 - a. E-Summonses will be accounted for through the software provided for the issuance of E-Summonses.

- b. Officers will sync the E-Summons software prior to logging in and logging off the software during each shift. Syncing allows for the transmission of issued summonses/citations to the Records Management System. Signed court hard copies of each E-Summons will be turned into supervisors prior to the end of the shift during which it was issued. Hard copies of E-Summonses/Citations will be processed and distributed like all other summonses/citations.
 - c. The voiding of an E-Summons/Citation shall be handled in the following manner:
 - 1. If an error is made while writing an E-Summons/Citation, or if an E-Summons/Citation is not usable, officers may void it. The officer will notify their supervisor that the E-Summons/Citation needs to be voided. This notification will be made before the E-Summons/Citation is uploaded at the end of the officer's shift. Once the supervisor receives the E-Summons/Citation through the software's Internet interface, the supervisor will open the E-Summons/Citation. The supervisor will then select the "Void" option box. The supervisor will list the reason that the E-Summons/Citation is being voided in the "Void Reason" text box. Any paper copies of the E-Summons/Citation will be destroyed. "Void" will be selected in the "Status" selection box. The summons/citation will then be submitted.
- E. Records Maintained Outside Records Section.
- 1. All criminal investigation reports are filed in the Records Section. At the conclusion of any criminal investigation the entire report of investigation is filed in the Records Section or uploaded into the records management system.
 - 2. Records maintained outside the Records Section will include, but are not limited to:
 - a. Office of the Chief of Police- Personnel records, Chief's correspondence, memorandums, time and attendance records, administrative investigations;
 - b. Criminal Investigations Section - Active and confidential investigations, modus operandi files, informant files, search warrant records;
 - c. Field Operations - Daily activity reports, K-9 records;
 - d. Support Services - Training records, applicant processing records, property records, teletype records, departmental inventory records, traffic crash statistics, selective enforcement records, radar and vehicle calibrations;
- F. Arrest Records.
- 1. An incident report shall be completed for every arrest, including physical arrests on traffic offenses. This report shall contain the details which led to the arrest, surrounded the arrest, and the processing of the subject. Fingerprinting and photographing should be in accordance with General Order 103 Limits of Authority.
 - 2. Arrest numbers are assigned by the Law Enforcement Records Management System (LERMS) and are incident oriented.
 - 3. The assigned officer shall submit arrest dispositions on an arrest report. This information is considered criminal history information and shall be entered by Records Personnel.
- G. Warrant and Wanted Persons File.
- 1. Virginia Crime Information Network (VCIN) and National Crime Information Center (NCIC) manuals will set the criteria to be utilized when entering notices in regional, State, and Federal information systems. VCIN and NCIC manuals will also set standards in receiving information, verifying information, and canceling information. The communications technician, prior to entry or removal, shall verify all information. Yearly audits of the file will be conducted by the designee, in accordance with the validation requests received from the Virginia State Police. Similarly, monthly audits are made of the active warrant file. Misdemeanor warrants that are over three years old and felony warrants that are over 7 years old are forwarded to the Commonwealth Attorney for disposition and cancellation. Also see General Order 601 Communications.
 - 2. Communications technicians have 24-hour access to the automated warrant file, as well as actual documents, which are kept on file in the Communications Section. The Administrative Services Lieutenant or designee is responsible for the accuracy and maintenance of the file. The computerized file is backed up by a daily in an off-site secure location.
- H. Case/Report Status

All pending/active criminal offense reports shall have the disposition documented by the officer upon completion of the case. Dispositions or changes in case status shall be submitted by completing a confidential supplement report. This report shall be reviewed by the officer's supervisor and submitted to the Records Section. The Records Section shall enter the disposition in the appropriate case file.

I. Release of Reports

1. The Records Section is responsible for releasing copies of all reports and report verification forms. See Records SOP 1.05.
2. The Records Section will coordinate the processing of Subpoena Duces Tecum requests with the Information Services Lieutenant or designee.

J. Distribution of Reports/Fee Collection

The Leesburg Police Department will provide Report Verification Forms to victims of crimes or individuals involved for a fee.

1. Report Verification Forms - \$6.00
2. Fingerprinting Services (Town Residents/Employees Only) - \$5.00

The fees collected for these reports/services are payable at the time they are provided. The Records Clerk or designee is responsible for accepting the electronic payment. The payer is then provided with a receipt. At the discretion of the Chief of Police or designee, the collection of fees may be suspended.