

# PROCEDURE MANUAL

## 07-03



MICHIGAN STATE POLICE

## Accessing Treasury Records

**Purpose:** This manual provides guidance and procedures to be used when seeking records from the Department of Treasury.

**Effective Date:** April 19, 2022

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## Definitions:

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None

## Section 1: Accessing Treasury Records

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### 1.1 General Procedures

- a. Enlisted members shall submit requests for Department of Treasury information in writing to the Michigan Intelligence Operations Center (MIOC).
- b. Materials received from the Department of Treasury must remain in the possession of that worksite and shall be destroyed when no longer needed for reference purposes as provided by the department's retention and disposal schedule.
- c. Materials received from Treasury shall not be reproduced, copied, or disclosed without a court order unless the reproduction, copying, or disclosure is reasonably necessary during the worksite's investigation of criminal law violations, done in response to a discovery request in criminal cases as provided in Official Orders regarding discovery requests.
- d. Treasury records shall not be obtained by the Department of State Police for another institution, agency, or department. Local police agencies must have their own agreement or obtain appropriate legal process through their local prosecutor to present directly to the Department of Treasury.

### 1.2 Procedure for Obtaining Department of Treasury Information From the MIOC

- a. The authority to request Treasury records has been delegated to the administrator located within the MIOC. Michigan Department of Treasury policy allows for a maximum for 60 days to respond to a request.
- b. Requests for Treasury records by worksites shall only be made in conjunction with a criminal investigation and shall be processed according to the following guidelines:
  - i. The investigator wishing to obtain Treasury information shall forward a request in writing, to the MIOC.
    1. Name of suspect(s), required (business name if business tax records)
    2. Social Security number, required
    3. Address

4. Date of birth and other identifiers, if available
  5. A short description of the investigation or File Class number
  6. Incident number of the investigation
  7. Type of record being requested
  8. Years of records being requested
  9. Name, rank, and worksite (including mailing address) of the investigator
- ii. If the records will be used in court, the memo should request “Certified Records”. Non-certified records shall not be used in court or other legal proceedings. Noncertified records shall be considered as investigative/lead information only.
- c. Emergency Procedures

There are no emergency exceptions or procedures for obtaining Treasury records. Any and all requests, including inquiry to determine if a record exists, must follow the above procedure.

## 1.2 Policy for Accessing Department of Treasury Files for Motor Fuel Tax

- a. Access Authority

Authority to access the Department of Treasury records for motor fuel tax information has been delegated to all officers within the Commercial Vehicle Enforcement Division (CVED).
- b. Guidelines for Requesting/Receiving Department of Treasury Information on Motor Fuel Tax
  - i. The CVED shall provide to the Department of Treasury a list of the names and badge numbers of all officers assigned to the division. This list shall be updated as changes in personnel occur.
  - ii. Motor carrier officers shall contact the Department of Treasury via telephone to obtain specific information relative to fuel tax permits. When requesting such information, officers are required to identify themselves by name and badge number.
  - iii. Members other than motor carrier officers requesting fuel tax information shall contact their local CVED district lieutenant. The district lieutenant shall contact the Department of Treasury and obtain the requested information. Such information shall be relayed to the requesting member.
- c. Accountability for Motor Fuel Tax Information
  - i. An audit trail is not required for motor fuel tax information.

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**Review Responsibility:** Intelligence Operations Division; CJIC

**Accreditation Standards:** CALEA