



MAINE STATE POLICE GENERAL ORDER

E-137

SUBJECT: MAINE STATE POLICE POLICY REGARDING REPORT-WRITING DEADLINES AND STORAGE OF ORIGINAL INVESTIGATION-RELATED RECORDS

EFFECTIVE DATE: 08.01.2020

EXPIRATION DATE: 08.01.2027

RECENT HISTORY: AMENDED (08.01.2020); NEW (11.15.2019)

DISTRIBUTION CODE: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: S, Z

SIGNATURE OF COLONEL:

I. PURPOSE

1. The purpose of this General Order is to establish the policy of the Maine State Police regarding report-writing deadlines and storage of original investigation-related records.

II. POLICY

1. The policy of the Maine State Police is as follows:
 - A. **Except as otherwise required by law or by any other General Order**, the policy of the Maine State Police is:
 1. To require that any type of report (including, but not limited to, an initial incident or investigative report, a supplemental

report, and a summary of interview) that a sworn officer must compose as part of her or his official duties be submitted by the officer to her or his supervisor within thirty (30) total calendar days after any action is taken by that officer that requires the composition of any such report;

I. Notwithstanding paragraph 1 above, an officer may ask her or his supervisor for an extension of time to complete a report if circumstances beyond the control of the officer make the officer's ability to complete the report within the thirty (30) calendar day timeframe impossible.

I. If a supervisor grants a request for such an extension of time, the supervisor shall inform the officer of the new timeframe within which the subject report must be submitted, and the report must be submitted by the officer within that timeframe.

II. An extension of time to complete a report must be reasonable and take into account the circumstances that have caused the officer to ask for the extension.

2. For supervisors to review and either approve or request further work on the reports they receive from the officers they supervise as soon as practicable.

B. Further, through this policy, the Maine State Police expressly states

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1. That original investigation-related records of the Maine State Police are the exclusive property of the State of Maine and the Maine State Police;

2. That original investigation-related records must be stored in Maine State Police facilities or computer systems, and not stored at the personal residences or in the personal computer systems of Maine State Police employees; and

3. **That, to the extent any Maine State Police employees have original investigation-related records stored at their personal residences or in their personal computer systems, or otherwise not stored at Maine State Police facilities or in Maine State Police computer systems, all such records must promptly be returned to the Maine State Police so they can be appropriately stored in Maine State Police facilities or computer systems.**

III. DEFINITIONS

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
 - A. Original. “Original” means initially-created, not copied.
 1. A copy made by the Maine State Police of any third-party-owned record that itself cannot be taken into the possession of the Maine State Police constitutes an original for the purposes of this policy.
 - B. Record. “Record” means any material – regardless of medium or format – that memorializes information, including, but not limited to, any document (including, but not limited to, handwritten or typed notes), photograph, audio recording, or video recording.

IV. PROCEDURE

1. The failure of a Maine State Police employee to comply with any provision of this policy is cause for disciplinary action, up to and including termination of employment.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.