



TIVERTON POLICE DEPARTMENT

GENERAL ORDERS

Subject: Public Records		General Order Number: 400.02
Section: 400- Support Service Operations		Subsection: 00- General
Amends/Supersedes: 8-8, 400.02 (10/20/2019), 300.04 Field Reporting (03/18/2019)		
Effective Date: 10/20/2019	Revised Date: 02/08/2021	Review Date: As Needed
Per Order Of: Patrick W. Jones, Chief of Police		
RIPAC: 7.13, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8		
Distribution: All Department Members		

NOTE: This written directive is for the internal governance of the Tiverton Police Department, and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

I. POLICY

This policy sets forth the Tiverton Police Departments commitment to providing the public with access to public records while protecting from disclosing information about individuals that would constitute an unwarranted invasion of personal privacy. It shall be the policy of the Tiverton Police Department in accordance with the United States Constitution, the Rhode Island Constitution and the General Laws of the State of Rhode Island to systematically, efficiently and effectively provide the public with access to information and public records.

II. PURPOSE

The purpose of this policy is to provide uniform guidelines for the members of the Tiverton Police Department in providing records to the public and to provide a procedure that will insure every one requesting records can be fairly and equally accommodated in a timely fashion.

III. DEFINITIONS

Public Record- All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities), or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

IV. PROCEDURES

A. Security and Privacy

1. Adjudicated adult criminal records will be housed in the records room for up to two (2) years. All adjudicated adult criminal records older than two (2) years shall be secured in the storage facility located behind the police department. Non-adjudicated adult criminal cases will be kept in the Detective Division.
 - a. Outside of normal business hours, all requested records shall be left with dispatch for retrieval. Upon receiving a request for records during non-business hours, dispatch shall have the requesting party complete a "Request for Records," form that shall be reviewed and completed by the records division during normal business hours.
2. All juvenile arrest reports, release forms, etc., are securely stored in a file cabinet within the Detective Lieutenant's Office.
3. The collection, dissemination, and retention of fingerprints, photographs and other forms of identification pertaining to juveniles will be the responsibility of the Detective Lieutenant.
4. Juvenile identification records are stored separate from adults. Juvenile status offenders will not be processed.
5. Juvenile Records shall be sealed or removed from the general records system upon reaching adult age.

B. Computer Access and Security

1. Police department personnel can access computer records information only through the use of an assigned password. Records information may only be released in accordance with department policy.
2. A sworn officer of the Police Department shall be designated as the system administrator, by the Chief of Police, for the records management computer system.
3. The system administrator shall conduct an annual audit of the central records computer system for verification of all passwords, access authorization and security systems.
4. Back-up media will be stored in a secure off-site area.
5. To prevent the accidental introduction of a computer virus into the records system, the disk drives of the majority of the department's workstations have been disabled.
 - a. Employees with terminals with active disk drives and/or internet access will have anti-virus software installed.
6. The department normally will not routinely monitor employee's e-mail or any other electronic documents; however, when such information is stored on the department's systems, authorized employees may have the occasion to review and disclose the contents of such files for reasons including, but not limited to, system maintenance, quality control, or enforcement of other department policies.

C. Records Retention

1. Retention of all records is governed by State law and guidelines outlined by the Secretary of State.

D. UCR Reporting

1. The Tiverton Police Department participates in the UCR program.
2. All reports are compiled by the Captain and sent quarterly to the Rhode Island State Police per RIGL (12-41-(1-4)) following the guidelines for submission to the National Incident based Reporting System.

E. Report Review

1. The officer-in-charge of the station will review all reports of officers working during their shift. This does not prohibit the Lieutenant in charge of the shift from designating this responsibility to a Sergeant when necessary.
2. All reports are to be completed by officers at the end of their work shift (minor incidents may be completed the following shift at the discretion of the Officer in Charge), and are to be reviewed by the shift supervisor.
3. Reports will be reviewed for, but not be limited, to the following:
 - a. Accuracy
 - b. Clearness
 - c. Spelling and Punctuation
 - d. Names of Involved Parties
 - e. Completeness
 - f. IMC System Errors
4. Reviewing supervisors should ensure that arrest reports include articulation of probable cause and all elements of the crime.
5. Reviewing supervisors will document their review of each report by approving them in the IMC system.
6. Once approved, the Detective Lieutenant, or his/her designee, will forward all reports using the "Case Activity" feature of the IMC system for follow-up as appropriate.
7. The Detective Lieutenant will review the reports, send incorrect reports back to the supervisor, or submit the report to the database.
8. At least once a month, the designated system administrator will conduct a computerized audit to identify errors or omissions in reports.
9. Reports with errors will be forwarded to the respective OIC who will ensure that the reports are corrected by the reporting officer.

F. Field Reporting and Management

1. Case reports will be required when:
 - a. Crime has occurred or investigation of a possible crime.
 - b. Forced entry has been made by any government agency (ex. Fire Department)
 - c. Fires
 - d. Lodging of persons for other agency.
 - e. Animal complaints handled by officers when Animal Control is unavailable.
 - f. Found property not traced to a previous case.
 - g. Detention of a suspicious person (no charges).
 - h. Abandoned Vehicle
 - i. All arrests made of a person to include bench (capias) warrants or another agency's warrant.
 - j. Case reports are not required in other events in general; however, a field supervisor may direct that one be done.
 - k. Towed motor vehicles.
2. An official record will be made of actions taken by law enforcement personnel whether in response to a request for service or self-initiated activity.
3. Original case reports are to be submitted to a shift Supervisor for review. The Detective Lieutenant will then forward case reports to the Detective Division for follow up. All inactive case reports shall be sent to the records division.
4. Follow-up Reports should be included in the original file within ten (10) days.
5. Field reporting forms include:

- a. Case Report
- b. Traffic Accident Report
- c. Arrest and Booking Report
- d. Victim/Witness Statement
- e. Larceny Report
- f. Field Interview Report
- g. Supplemental Report
6. All relevant fields of the IMC computer generated reports should be filled out as completely as possible.
7. Every incident that comes within the following categories will be recorded in the CAD system:
 - a. Citizen Reports of Crimes
 - b. Citizen complaints.
 - c. Citizen Requests for Service when
 - 1) An officer is dispatched to the scene.
 - 2) An officer is assigned to investigate.
 - 3) An officer is assigned to take action at a later time.
 - d. Criminal and non-criminal cases initiated by law enforcement officers.
 - e. Motor Vehicle stops whether citation is issued or not.
 - f. Incidents involving an arrest or summons.
8. Department employees may forward any recommendations regarding the report system through the chain of command to the Deputy Chief, who will be responsible for evaluating the recommendation and notifying the employee involved of his/her situation.

G. Case Numbering System

1. Case report numbers are issued through the IMC system.
2. The numbering system ensures that all cases receive a number, that no numbers are omitted and the no numbers are duplicated.
3. Case numbers follow the following format: (xx-yyyy-zz)
 - a. “zz” is the type of report “AC” (Accident), “OF” (incident), “AR” (arrest), “IV” (investigative report), or “FI” (field investigation report).
 - b. “yyyy” is the sequential number of the report.
 - c. “xx” is the year of the report.
4. All incidents of police service will be issued a sequence number. Only those cases requiring a case number will be issued a case report number.

H. Records and Report Distribution

1. The OIC will be responsible for ensuring that all reports are entered into the computer system. The Detective Lieutenant will be responsible for distributing all reports to the appropriate division (Prosecution, Juvenile, Elderly Affairs, etc.). This can be accomplished through the use of the “Case Activity” feature of the IMC system.
2. The Detective Division (Prosecution) will be given original reports; other divisions will be given copies of case reports if necessary.
3. The IMC system can produce a variety of customized reports based on the authorized user’s criteria. These reports include:
 - a. Service calls and crime by type;
 - b. Service calls and crimes by location
 - c. Stolen, found, record, and evidentiary property files.

4. Officers or civilian employees requesting a copy of a report for any non-official purpose will submit a “Records Request Form” to the records clerk.

I. Traffic Citations

1. Electronic Citations, or E-Citations are to be utilized by sworn members of the Tiverton Police Department. If the Mobile Data Terminal (MDT) is out of service, the officer will respond to headquarters to complete the citation of the Department’s computer system. The Citation will then be mailed to the appropriate address of the offender.
2. E-Citations shall be digitally stored within the Department’s computer system.
3. All required fields, including Racial Profiling data fields, must be completed in their entirety.
4. Citation books (Notice and Demands/Parking Violation Pads) are obtained from the State of Rhode Island and securely stored in the Sergeant’s Office in the Uniform Division.
5. The OIC will issue blank citation books to officers and will log the date issued, officer’s name, and ticket numbers. The ticket books and log are secured in the Sergeant’s Office in the Uniform Division.
6. The Records Clerk will forward all completed citations to the appropriate agency and maintains the Tiverton Police Department copies in a secure area.
7. Completed citations will be retained in accordance with the Records Retention Schedule.

J. Records Maintenance

1. All incident, traffic accident, and arrest reports, (other than juveniles), generated by the Tiverton Police Department are maintained in the Records Division.
2. Other reports and records, both official and unofficial, may be stored in areas including the following:
 - a. Chief’s Officer
 - 1) Personnel Records
 - b. Deputy Chief’s Office
 - 1) Citizen Complaints
 - 2) Internal Affairs Reports
 - c. Detective Division
 - 1) Active Case Files
 - 2) Intelligence Files
 - 3) Confidential Informant Files
 - 4) Field Interview Reports
 - d. Planning and Training
 - 1) Training Records
 - 2) Accreditation Files
 - 3) Department Property Inventory
 - e. Chief Administrative Assistant
 - 1) Budget Revenue/Expense
 - 2) Accounts Payable
 - 3) Payroll/Overtime
 - 4) Personnel Records (ex. Vacation, sick leave, comp time, etc.)

K. Arrest Information

1. People arrested by the Tiverton Police Department are transported to the booking area where they are processed and their information is documented.

2. All arrestees, other than juvenile status offenders, are fingerprinted and photographed.
3. The booking officer will enter information on all prisoners into the IMC system.
4. All records will be updated as warranted.
5. All arrest reports will be forwarded to the Detective Lieutenant/Prosecution Division.

L. Warrant and Wanted Persons File

1. The Dispatch area will act as the repository for all active affidavit arrest warrants and restraining orders lodged at the Tiverton Police Department.
2. The Detective Division personnel or a designated member of the patrol division will enter all warrants into the department's computer system. The warrants will then be forward to the Dispatch area.
3. The dispatcher will locate/delete the warrants into the NCIC system.
4. Pursuant to the policy of the RI Department of the Attorney General, entry of felony warrants into the national NCIC system must be approved by the Attorney General's office for the purpose of ensuring extradition. The Detective Division shall obtain said authorization prior to the entry of the warrant.
5. Any request for apprehension originating from an outside agency will be forwarded to the OIC of the Patrol Division.
6. All affidavit warrants will be made accessible 24 hours a day.
7. Any information reviewed on all active arrest warrant will be verified with the respective agency in possession of the signed warrants.
8. RILETS and NCIC guidelines shall be followed when answering/replying to extradition requests.

M. Department Service Documentation

- A. Documentation of the process in delivering service notification will be done in CAD system and include the following:
 1. Date and time received, served or attempted;
 2. Name and Rank of Server
 3. Reason for Non-Service, if applicable
 4. Type of Service, Criminal or Civil
 5. Location of Service
 6. To whom the process was served.

N. Training

- A. All department members who have the authority to grant or deny persons or entities access to records shall be provided orientation and training regarding this General Order and the Rhode Island Access to Public Records Act.