

**Stevensville Police Department  
General Orders**

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**Chapter 34**

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**Central Records**

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<b>Date Effective</b>	<b>By The Order of:</b>	<b>M. Sosa, Jr., Chief of Police</b>
<b>5/10/21</b>		

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**34.1.1 RECORDS COMPONENT**

**CALEA Standard: 82.1.1, 82.1.2, 82.1.3, 82.1.4, 82.1.5**

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**Privacy and Security**

It is the policy of the Stevensville Police Department to have a Records Section to meet the management, operational, and informational needs of the Department and to place accountability for the records function in a specific specialized component. The Records Section is a component of the Office of the Records Clerk and is responsible for the records function of the Stevensville Police Department. The Records Section is in a secure area of the Agency and is under the direct supervision of the Records Clerk.

The purpose of this directive is to establish guidelines for the security of Stevensville Police Department records and files consistent with public record laws and for the overall operation of the Records Section. Although most records are submitted electronically, the Records Section still maintains the capability of scanning original records of documents into the reporting storage system. Access to records shall be limited to authorized personnel in order to maintain security and to comply with Montana Statute. This procedure shall ensure the confidentiality, availability, access, and security of records maintained by the Stevensville Police Department. The privacy and security of criminal history records shall be in accordance with the criteria set forth in U.S. Department of Justice regulations regarding access and review.

**Records Accessibility**

Records information is accessible to all operations personnel on a twenty-four (24) hour basis. Access to this system is governed by individual passwords that are changed every 90 days.

**Records Function**

Under the supervision of the Records Clerk, the functions of the Records Section include, but are not limited to:

- *Report Review:* The report review process will begin with supervisors who will review and approve all field case reports after they have been electronically submitted. The Records Section will conduct another review of the electronically submitted reports. This final review will be for purposes of verifying that all

documents submitted are accounted for and contain proper classification, disposition codes, and case numbers.

- *Report Access and Release:* The Records Section will control the availability and confidentiality of all reports and records to the public. Records access shall be limited to authorized personnel. Information released to the public shall be in accordance with Montana Statutes regarding public information.
- *Records Maintenance:* The Stevensville Police Department's Report Writing System maintains electronically all police reports and records identified in this directive.
- *Records Retrieval:* The Records Section will use the case number reporting system for all filing and retrieval purposes.

### **Juvenile Records**

Montana Statute requires that all law enforcement agencies take special precautions to ensure those law enforcement records concerning a juvenile are protected against disclosure to any unauthorized person.

The Stevensville Police Department's juvenile arrest and criminal history records shall be maintained in the Records Section in a secure location. Juvenile arrest reports are completed electronically by Officers in the field. Case investigations involving juveniles that are not completed electronically must contain the phrase "See Narrative" in the victim or suspect fields.

Juvenile photographs may be taken in certain circumstances with the appropriate Court Order using any digital imaging other than the mug imaging system. Juvenile fingerprints may be obtained in certain circumstances with the appropriate Court Order.

Additional procedures relative to the collection, dissemination, retention, disposition and expungement of records and identification pertaining to juveniles are contained in Chapter 22, Section 22.2.2. *Taking a Juvenile Into Custody.*

### **Records Retention**

The Stevensville Police Department follows the guidelines set forth in the *Town of Stevensville Records Retention and Disposition Schedule* and the *Ravalli County Records Retention and Disposition Schedule* for all records.

### **Incident Base Reporting**

Case closure can be determined at the time of the initial report or at the conclusion of an investigation. The case closure system refers to both Incident/Investigation "Status" and Case Management "Case Status".

Initial Report: When a case is Cleared at time of the initial report, it will be given one of the following dispositions under Incident/Investigation "Status":

- Arrest
- Arrest of Juvenile

- Death of Offender
- Extradition Denied
- In Custody of Other Jurisdiction
- Juvenile/ No Custody
- Prosecution Declined
- Uncooperative Witness

Note: When a case is closed in Case Management, it will be given one of the following dispositions under "Case Status."

- Closed,
- For Information Only
- Inactive
- Unfounded

Note: Closed will be used after statute of limitations have expired

A case may be given the status of "Unfounded" if through investigation it is determined the complaint is false or baseless:

- A crime or incident alleged in the original report did not occur.
- The supplement to Unfound the report should clearly state the reason/s for reclassification and should either
  1. show the statutory elements of the crime cannot be met, or
  2. state that the crime occurred in a different jurisdiction and that the information was given to the appropriate agency.

### **34.1.2 PROTECTING THE INTEGRITY OF COMPUTERIZED RECORDS**

#### **CALEA Standard: 82.1.6, 11.4.4**

#### **Audit of Central Records Access**

The integrity and security of the central records files is dependent upon the access systems that provide control through a series of passwords and access codes. Employees are not permitted to use passwords, access a file, or retrieve any stored communication unless authorized to do so. The Information Technology section in Human Resources for the Town of Stevensville maintains a current "Computer Security and Use Procedure". All employees of the Stevensville Police Department are required to sign, acknowledge and comply with these procedures.

Specific requirements regarding computer access and passwords can be found in the Information Technology "Computer Security and Use Procedure":

#### **Computer System Access**

Computing resources, data, and information must be protected from unauthorized use, external intrusion, theft and accidental or malicious damage. To protect active sessions:

- Close down active sessions and use a password-protected screensaver to secure your terminal or workstation if you intend to leave it unattended or inactive. The example below is the correct way to immediately lock and unlock your workstation.
- (e.g., under Windows XP, press Ctrl-Alt-Del keys, then press Enter to lock the workstation. To unlock your workstation, move your mouse or press a key on the keyboard, press Ctrl-Alt-Del keys, then enter your password in the password field of the dialog box).
- Logoff the network and shut down or lock your computer at the end of the working day unless otherwise instructed.
- Use secure network file locations to store all Agency data, unless there is a specific need or limitation requiring data to be stored on your computer's local hard drive (local drives are not backed up). Do not store sensitive information on your local hard drive unless it is protected by access controls.

### **Passwords**

Guard your password carefully. Adhere to the following guidelines:

- Do not reveal passwords to anyone. If required to disclose current password to an authorized computer technician for system maintenance or troubleshooting, change your password immediately after maintenance is complete
- Do not write down and post or store passwords near a workstation, under the keyboard or mouse pad, or other areas where they could be found and used.
- For new accounts, change passwords upon first login or upon password reset for the account.
- Change passwords immediately if it is suspected that they have been compromised.
- Change passwords every 90 days. If greater security is required, change passwords more frequently. (Network passwords will expire automatically after 90 days.)
- Change default passwords supplied with new software packages immediately after the software installation.
- After five unsuccessful network login attempts (invalid user ID and/or password), the system will lock the user ID account. Contact the help desk if this occurs.

### **Outside Computer Software**

The Town of Stevensville "Computer Security and Use Procedure" govern the introduction of computer software and data disks into agency-controlled computer systems and hardware:

#### **Software**

All employees shall comply with all legal obligations that relate to software copyright and licensing agreements.

#### **Virus Prevention and Detection**

A. Any file received from an unknown source should be considered highly suspicious and deleted without opening.

B. The following guidelines must be followed to minimize the impact of viruses:

- Ensure that installed virus protection software is not deliberately disabled or prevented from running.
- Scan all media originating from external sources. This includes media last used on a home computer, and media obtained from external business partners, training agencies, service technicians and vendors.
- Scan all software and electronic documents acquired from third parties and external networks.
- Report the suspicion of any virus immediately.

### **34.2.1 FIELD REPORTING SYSTEM**

**CALEA Standard: 82.2.1, 82.2.2, 82.2.3.**

#### **Specific Reporting Requirements**

Records that document law enforcement activity shall include the following information:

- Date and time of the initial reporting
- Name (if available) of the citizen requesting the service, or the victim's or complainant's name
- Nature of the incident
- Nature, date and time of action taken (if any) by law enforcement personnel

Officers investigating traffic collisions shall follow the procedures set forth in Chapter 29, TRAFFIC.

When conducting supplemental investigations, the appropriate supplemental form must be used as identified in the *FIELD REPORTING MANUAL*.

#### **Field Reporting Manual**

The Field Reporting Manual specifies the following information:

- Procedures to be followed in completing field reports

Copies of the manual shall be disseminated to the following personnel and locations:

- Chief of Police
- Supervisors
- Officers

#### **Records Repository**

The Stevensville Police Department's Report Writing System maintains a repository of records filed sequentially by case numbers that includes:

- Offense reports
- Arrest reports

- Traffic collision reports

### **Reporting Requirements**

The following categories of incidents occurring within the jurisdiction of the Agency shall be documented in reports, and/or entered into the system:

- Citizen reports of crimes
- Citizen complaints
- Citizen requests for service when an Officer is dispatched; an employee is assigned to investigate; or an employee is assigned to take action later
- Criminal and non-criminal cases initiated by Officers
- Incidents involving arrests, citations, or summonses

A record shall be made of actions taken by law enforcement personnel in any of the above-described circumstances, whether in response to a request for service or for self-initiated actions.

### **Case Numbering System**

The Report Writing System generates a case numbering system with the following provisions:

- The Command Live system is designed to automatically assign a sequential unique number (call number) to all incidents and a sequential unique case number to all incidents of law enforcement service requiring a case investigation, traffic investigation and/or arrest report.
- The Command Live numbering system is designed to ensure that all cases receive a number and that numbers are neither omitted nor duplicated.

### **Report Review Procedures**

Every report will be reviewed by a supervisor. The supervisor who reviews the report will place his/her signature on the report to indicate the supervisor has reviewed the report and has approved its contents for Agency purposes. Supervisors shall check reports for accuracy, completeness, legibility, and neatness. Reports not approved will be returned to the Officer completing the report for required corrections. Supervisors reviewing electronically submitted reports will either select “approve” or “reject” before the report is submitted electronically as verification that they have reviewed the report. Electronically rejected reports shall be returned to the investigating Officer for corrections before being electronically submitted.

## **34.2.2 DISTRIBUTION OF REPORTS AND RECORDS**

### **CALEA Standard: 82.1.1, 82.2.4**

#### **Internal Distribution**

The Supervisors will review reports and records for follow-up assignment. Supervisors will screen all cases and make case assignments in accordance with Stevensville Police Department Policy and Procedures, Chapter 20, *Criminal Investigations*.

### **External Distribution**

Copies of reports will be provided to law enforcement/criminal justice agencies upon request. The information contained in the report must be needed for performance of their law enforcement duties.

The Stevensville Police Department shall release the following records to the public upon request:

- Select pages of the incident reports
- Redacted arrest reports
- Redacted traffic collision reports

Any audio recording that potentially releases victim information should be reviewed by the County Attorney's Office prior to release.

All reports of incidents involving juveniles as either the victim or suspect, or incidents involving sex crimes shall have the names of the juvenile or the sex crime victim removed.

Montana Statute stipulates that records of criminal investigations or records of criminal intelligence information are not public records with the following exceptions:

- The time, date, location, and nature of a violation or apparent violation of the law reported to a public law enforcement agency
- The name, sex, age, address, employment, and alleged violation of law of a person arrested, charged, or indicted
- The circumstances surrounding an arrest, including the time and place of the arrest, whether the arrest involved resistance, possession or use of weapons, or pursuit, and a description of any items seized in connection with the arrest
- The contents of 911 and other emergency telephone calls received by or on behalf of public law enforcement agencies, except such contents that reveal the name, address, telephone number, or other information that may identify the caller, victim, or witness
- The contents of communications between and among employees of public law enforcement agencies that are broadcast over the public airways
- The name, sex, age, and address of a complaining witness

Stevensville Police Department personnel may temporarily withhold the name or address of a complaining witness pursuant to Montana Statute, if release of the information is reasonably likely to pose a threat to the mental or physical health or personal safety of the complaining witness or materially compromise a continuing or future criminal investigation or criminal intelligence operation.

The Stevensville Police Department may release other records not categorized as confidential to the public upon request.

### **34.3.1 RECORDS INDEX**

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**CALEA Standard: 82.3.1, 82.3.2**

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#### **Master Name Index (Global Jacket)**

An alphabetical master name index is maintained through the computer system. The master name index includes names of persons identified in incident reports, supplemental reports, arrest reports, traffic collision reports and traffic citations. The following types of people meet the criteria for inclusion into the master name index:

- Victim
- Complainant
- Suspect
- Arrestee
- Witness
- Injured (traffic collision related)
- Other
- Persons of Interest

#### **Calls for Service Records**

The Stevensville Police Department maintains a computerized database containing records that include service calls, crimes by type, and crimes by location. This information is available to all Agency personnel via computerized query.

#### **Stolen, Found, Recovered, and Evidentiary Property Index**

Property & Evidence maintains a record of all found/recovered property, evidentiary property, property retained for safekeeping, and property to be destroyed. All property received by Property & Evidence is recorded in "Evidence/Property Tracking". The Property Report is filed in the Property & Evidence Unit as outlined in Chapter 36 of the Stevensville Police Department General Orders.

Prior to submitting the property or evidence to the Property & Evidence Section, Officers shall request a query of the CJIN/NCIC files for any property that has a unique identifying number to determine if the property has been reported stolen. Stolen property will be cleared/located from the CJIN/NCIC files in accordance with CJIN Regulations.

### **34.3.2 TRAFFIC RECORDS SYSTEM**

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**CALEA Standard: 82.3.3, 82.3.4**

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The Stevensville Police Department utilizes various systems to maintain or have access to traffic information to include:

- Traffic collision data, (reports, investigations, and locations)



- Traffic enforcement data, (citations, arrests, dispositions, and locations)
- Report of roadway hazards and hazardous conditions

The traffic records system provides accurate information including locations of traffic collisions and citations to field personnel and provides data upon which management decisions can be based.

Stevensville Police Department General Orders, Chapter 29, *Traffic*, identifies data to be collected, analyzed, and disseminated relative to traffic records.

## **Citation**

### **Issuing Citation Books**

The Chief of Police's designee shall obtain uniform citation books as needed. Uniform citation books shall be stored in a secured area with restricted access. The Chief of Police's Designee shall record the control numbers from each uniform citation book issued and the date issued. The requesting supervisors shall issue citation books to the Officers and shall maintain a log of citation books assigned to Officers.

### **Accounting for Citations and Citation Books**

Officers are accountable for the citation books issued to them. Citations are cross-referenced by the issuing Supervisor's name and date of issuance.

The original and "Driver License Section" copies are returned to the Clerk of Courts Office. The offender receives the offender copy. One copy is left in the citation book for control purposes. If an Officer makes an error while writing a citation, or if a citation has become damaged due to accidental exposure to rain, snow, etc., the Officer may write "Void" across the original citation and on all copies. The original and all copies of the citation are to be left in the citation book.

If a citation or citation book is lost or stolen, the Officer shall immediately notify the Supervisor. The Officer shall write and submit a memorandum that explains the circumstances of the loss. The citation control number(s) should be identified in the memorandum. If either a citation or a citation book is missing, a copy of the memorandum submitted by the Officer should be taken to the Clerk of Court's office.

The Officer shall return used citation books to the Supervisor. The Supervisor shall inspect the used citation book to ensure that all necessary copies are accounted for and record the used citation book as being returned next to the name of the Officer submitting the book.

Additional policy and procedures relative to the preparation and accountability for Uniform Traffic Citations is presented in Stevensville Police Department General Orders, Chapter 29, Section 29.1.2 *Traffic*.

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## **34.3.3 OPERATIONAL COMPONENT RECORDS**

### **CALEA Standard: 82.3.5**

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Operational records are maintained as follows:

- The Stevensville Police Department's Report Writing System shall be the central repository for all offense and incident reports, arrest reports, other field reports, and other official records.
- The Chief of Police shall maintain the Department's personnel records and training records.

#### **34.3.4 CRIMINAL IDENTIFICATION AND HISTORY**

**CALEA Standard: 82.3.6, 82.1.7**

##### **Criminal History File**

The Department database includes a criminal history file maintained on every person arrested by the Department. The file can include:

- Fingerprint card
- Criminal history transcripts (state and federal)
- Photograph (if available)
- Copy of arrest reports

Arrestee criminal history file information is maintained in at least one of the following locations:

- Agency case file
- Clerk of Court's office

All information subject to inclusion in an arrestee's criminal history file is accessible through the CJIN terminal and is cross-referenced according to a number of descriptors including, but not limited to:

- Name
- Case number
- FBI number
- SID number

##### **Access and Dissemination of Criminal History Records**

The Montana Department of Justice, Criminal Justice Information Network (CJIN) maintains a computerized criminal history of individuals who have been arrested and/or for which CJIN has a valid criminal fingerprint card.

Access is restricted to CJIN authorized law enforcement/criminal justice agencies and personnel. Personnel accessing CJIN records must complete CJIN certification requirements, obtain a CJIN Operator Identifier and password, and must be under the management control of an agency assigned an Access Identifier (ORI). CJIN certification is valid for two years. Re-certification is necessary for continued CJIN access and/or terminal operations.

CJIN provides an automated log of criminal/investigative inquiries. The automated log will contain the information supplied by the operator in the inquiry screen. Secondary dissemination to any person outside the initial requesting agency must be indicated in the inquiry screen or in the case file pertaining to that record. All inquiries and disseminations must comply with all CJIN rules regarding access and dissemination. Any misuse or possible violations must be reported to CJIN. Violations may result in loss of access and/or fines to the agency.