

BILL NO.: 4567

ORDINANCE NO.: _____

Introduced by: Council Present

AN ORDINANCE FOR THE BERKELEY POLICE DEPARTMENT GENERAL ORDER #48 "RECORDS" POLICY

WHEREAS, The City of Berkeley hereby finds and declares this ordinance is necessary, appropriate, and in the best interest of the City of Berkeley, Missouri, in accordance to the CALEA standards.

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1 The City of Berkeley, Missouri, Council hereby adopts the attached Records Policy in compliance the CALEA standards.

Section 2 The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3 This Ordinance shall be in full force and effect from and after its passage.

1st Reading this _____ day of _____ 2017

2nd Reading this _____ day of _____ 2017

3rd Reading, PASSED and APPROVED, this day of 2017

Theodore Hoskins, Mayor


ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Kirkland	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman-at-Large McDaniel	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDERS: 48
RECORDS		
ISSUE DATE: 8/11/17	EFFECTIVE DATE: 9/18/2017	DISTRIBUTION: ALL PERSONNEL
		RESCINDS: ALL PREVIOUS VERSIONS
ACCREDITATION STANDARDS: CALEA 74.1.1, 82.1.1, 82.1.2, 82.1.6, 82.2.3, 82.3.4		NUMBER OF PAGES: 8

PURPOSE: To establish responsibilities and standard operating procedures within the Central Records Unit.

POLICY: It is the policy of the Berkeley Police Department to establish procedures for the maintenance, security, and dissemination of all records.

PROCEDURES:

SECURITY

- A. All personnel shall utilize the service counter to conduct business. **Only** records personnel, captains, majors, chief, or personnel authorized by the Records Supervisor shall be allowed access to the area housing police records. [CALEA 82.1.1 a]
- B. Only authorized department personnel shall make entries into the computerized Central Records files.
- C. Central Records services are available to department personnel 24 hours a day, seven days a week at the Police Department. [CALEA 82.1.1 b]
- D. Access to various police department computer systems is obtained by the employee's supervisor making request to Information Technology Division, Communications Department or responsible agency for employee accounts. Criminal History information from REJIS/NCIC will be fulfilled per guidelines set forth by the Missouri State Highway Patrol (MSHP) and NCIC. [CALEA 82.1.6 c]
- E. Procedure for records security and release will be included in training provided by the employee's supervisor. [CALEA 82.1.6 c]
- F. Files relevant to employee assignment that need revision or deletion shall be reviewed by the employee's supervisor. Passwords and level of access will be audited annually through the records management software. Employees will be prompted by the records software periodically to update or verify passwords at least once annually. [CALEA 82.1.6 d]

- G. The Records Division Commander will conduct an annual audit of the Central Records computer system to verify all personnel who have access via passwords to the system. [CALEA 82.1.6 d]
- H. Files are stored electronically in the Records Management Software (RMS) and backed up securely offsite. [CALEA 82.1.6 a, b]

NUMBERING SYSTEM [CALEA 82.2.3]

- A. All calls for service (citizen reports of crime, citizen complaints, etc.) and officer initiated calls shall be issued a computer-generated call for service at the time the incident is reported. A computer-generated case number is obtained after the call for service number is initiated if a report is written. Each year on January 1st at 0001 hours, the computer numbering system will begin with the current year and start with number one (96-000001). Each number thereafter shall be consecutive and shall be separate and distinct for each incident.
- B. Records personnel are responsible for ensuring that all case control numbers issued are properly recorded in the records system. This is completed via an interface between the CAD and RMS computer systems.
- C. All reports with a disposition of RPT are automatically tasked to the officer by the RMS system for a report to be written. Supervisors are responsible for ensuring all employees complete their reports in a timely manner.

COLLECTION, DISTRIBUTION, AND STORAGE OF RECORDS

- A. All handwritten reports and RMS report attachments will be placed in the "IN" basket in the copy room.
- B. Reports are copied and distributed within the Department and to various outside agencies per Records written instructions.
- C. Records personnel will make appropriate computer entries of reports in the LETS Crash system.
- D. Handwritten reports and RMS report attachments are scanned and saved into the RMS system. Attachments with any handwritten or original information are filed in a yearly incident file which consists of original documents that are filed numerically. Copies of documents for attachment are scanned into the RMS system and then destroyed after 30 days.
- E. In most circumstances, original documents shall remain within the Records Section.
 - a. Original documents produced by the Detective Bureau will be maintained in that section or as a confidential report in the Records Management System until such time it is determined the information is no longer of a sensitive nature.

- b. Follow-up and case reports generated by the Detective Bureau and are created in the RMS system, attached to the incident reports.
 1. Follow-up investigation criminal case reports are due for completion in 38 calendar days following the date of assignment, unless a homicide or formally extended by a Criminal Investigations supervisor. (Refer to General Orders 46)
 2. Upon return of criminal case reports after review by the appropriate prosecuting authority, original case files are forwarded to Central Records for archiving.
- F. Property Submission Reports will be maintained electronically by the Property & Evidence Unit.
- G. Original written statements, rights waivers, consent to search and search warrants will be stored in the Property & Evidence Section and a copy placed into and maintained by Records.
- H. Original probable cause statements will be forwarded to the Prosecutor's office. A copy will remain in Records.
- I. The Missouri Uniform Summons and Complaint books are maintained by the Records Unit. Mobile tickets are maintained electronically through Mobile Ticketing by the Mobile Ticket Administrator. [CALEA 82.3.4 a and 82.3.4 c]
- J. Citation numbers are generated in sequential order and stored in the REJIS Mobile Ticketing System. Once a citation is issued, it should not be voided. [CALEA 82.3.4 b]

JUVENILE RECORDS

Collection, dissemination and retention of fingerprints, photographs, and other juvenile record entries.

- A. Collection - Reports are marked juvenile by the completing officer in the Records Management System and juvenile information automatically made confidential within the system. No juvenile reports, except those in section 2 and 3 are included in Yearly Incident File. [CALEA 82.1.2 a]
 1. Juvenile victims are not subject to separation and reports are filed in the Yearly Incident File.
 2. Juveniles arrested or issued a summons for traffic charges and/or possession or use of any tobacco product are considered adults and are filed in the Yearly Incident File.
 3. Juveniles can be certified as adults on any charge through a court of record and are filed in the Yearly Incident File.

B. Dissemination of Juvenile Reports should be conducted as follows: [CALEA 82.1.1 c]

1. Reports are copied and distributed according to distribution instructions.
2. Juvenile reports are made available to law enforcement via the Records Management System and juvenile information kept confidential from the public.

C. Retention of fingerprints and photographs procedures are as follows: [CALEA 82.1.2 b]

1. The arresting officer is responsible for fingerprinting and digitally photographing any juvenile in custody for a crime that, if committed by an adult, would be a felony by statute.
2. Completed fingerprint cards are processed by the arresting officer.
3. The juvenile officer shall forward the completed fingerprint card to the St. Louis County Identification Section.
4. The fingerprint card information will be released to the St. Louis County Family Court by the juvenile officer.
5. The digital media card will be turned in to the Property & Evidence Clerk and the digital image shall be uploaded and electronically stored in the juvenile mug shot database. The digital media card will be erased and returned to the submitting officer for use.

DISPOSITION OF JUVENILE RECORDS

- A. Upon reaching adult age all records of juveniles shall continue to be stored separately as juvenile records unless an expungement of the record is received from the court. [CALEA 82.1.2 d]
- B. When ordered by the court, the Records Section shall destroy all social histories, records, and information of a juvenile at any time after the child has reached his seventeenth birthday, if the court finds that such action is in the best interests of the child. (RSMo. 211.321.5). [CALEA 82.1.2 e]

CONFIDENTIALITY OF JUVENILE RECORDS [CALEA 82.1.2 a, c]

- A. The Police Records Unit shall be responsible for the collection, dissemination, and retention of juvenile records.
- B. This department shall not disclose to the general public or media the identity of any juvenile suspect, victim, or witness.
- C. Police records of juveniles shall be kept separate from the records of persons seventeen years of age or over and shall not be open to inspection nor the contents disclosed, except by order of the court. (RSMo 211.321.3)

- D. Information and data may be released to persons or other organizations authorized by law to compile statistics relating to juveniles. (RSMo 211.321.4)
- E. Information may be released regarding the informal adjustment or formal adjudication of the disposition of a case to a victim or a member of the immediate family of a victim. (RSMo 211.321.6)
- F. General information shall not be specific as to location and duration of treatment or detention or the terms of supervision.
- G. Does not apply to juveniles transferred to adult court (certified) or to those convicted of gang activity under (RSMo 578.421 to 578.437)

UNIFORM CRIME REPORTING

- A. Central Records shall compile monthly Uniform Crime Reporting data and submit this information to the Federal Bureau of Investigations and the Missouri State Highway Patrol Criminal Records.
- B. Data is gathered by reviewing, classifying, and coding offense and arrest reports according to Uniform Crime Reporting guidelines.

WARRANTS

- A. Berkeley Municipal warrants are received from the Municipal Court.
 - 1. A Police Service Representative (PSR) will be responsible for transporting hard copies of the warrants from Court to the Police Department. [CALEA 74.1.1 d]
 - 2. The arresting officer will document the date and time the warrant is received and complete the bottom portion of the warrant in its entirety including court date, bond (if applicable) and report number. Once completed, the warrant must be hand delivered back to the court.[CALEA 74.1.1 a]
 - 3. Court personnel shall enter all Berkeley Municipal warrants into Warrant on Demand (WOD) and REJIS. All entered warrants will be verified by name of plaintiff/complainant or name of defendant/respondent. [CALEA 74.1.1 e]
 - a. All warrants entered should indicate that it is a warrant, include type of legal process, civil or criminal, officer assigned for service, date assigned, court docket number and date service is due. [CALEA 74.1.1 b, c, f, g, h, i]
 - 4. Berkeley Municipal warrants are received by the REJIS/LEWEB via the IMDS/PLUS interface the Municipal Court and REJIS system.
 - 5. Active warrants are available to all Police Department personnel and viewable by the REJIS/LEWEB system. A warrant is indicated by a warrant flag on a person in RMS.

6. When an active Municipal warrant is served, officers will contact the dispatch to verify the warrant details.
 - a. The dispatcher will verify the information by name, date of birth and social security number.
 - b. If requested by the officer, the REJIS operator will confirm the warrant through the Municipal Court database and by locating a physical copy of the warrant.
 - c. The original warrant is forwarded to Municipal Court by the Central Records Section.
 - d. The arresting officer will take the warrant to court if the individual is not booked.
 - e. Records staff is responsible for transporting it back to Municipal Court.
 - f. Central Records will fax a copy of the warrant to the St. Louis County Criminal Justice Center Jail.
7. The arresting officer will print the warrant and complete the lower portion of the warrant and return it to the Municipal Court Department immediately.
8. The REJIS operator is responsible for canceling the warrant in REJIS.
9. Records personnel are responsible for canceling the REJIS entry when notified that Municipal Court has recalled the warrant.
 - a. The original warrant shall be marked "recalled" and dated. It is then returned to Municipal Court.
- B. All other warrants will be entered into REJIS/NCIC by the issuing agency. Warrants received by phone or mail will not be accepted if they have not first been entered into REJIS by the issuing agency.
 1. All State offense (felony and misdemeanor) warrants are initiated by the St. Louis County Prosecutor's Office and REJIS/NCIC entry is made by the St. Louis County Justice Center.
 - a. When an active warrant is served, officers will contact the REJIS operator in Records to obtain the warrant details.
 - b. The REJIS operator will verify the information by name, date of birth, and social security number.
 - c. If requested by the officer, the REJIS operator will confirm the warrant through the originating agency.
 - d. Dispatch personnel will print the warrant and confirmation from REJIS. The other agency's operator is responsible for canceling the warrant in REJIS.

2. Copies of warrants received from other jurisdictions are distributed during roll call and placed on the roll call room bulletin board. Records personnel are responsible for purging warrant copies from the bulletin boards when warrants are served or recalled from the originating jurisdiction.
3. A copy of a warrant received from another jurisdiction is not valid for arrest.

PROBABLE CAUSE ITEMS

- A. Probable cause items are issued by the investigating officer assigned to the case investigation.
- B. The original of a probable cause item linked to a suspect such as a statement, lab results, etc., shall be maintained in the Records Management System. All probable cause items are available to all employees in the RMS system and are indicated by a flag on the person record. Probable cause items are available to Records personnel and investigating officers via an interface between the RMS system and the Communications Open Query application.
- C. Records personnel or officers cancel the probable cause item when the subject is arrested or when notified the item is no longer active.
- D. Cancellation is completed by updating the original item in the RMS.

TRAFFIC RECORDS SYSTEM

- A. Records Division maintains computerized motor vehicle crash data including driver information, location, and report numbers available to citizens and insurance representatives.
 1. Original reports are maintained by the Records Division for all reported vehicular crashes and summonses issued.
- B. All traffic violation summonses are maintained by computer in the Records Section. Information includes type of charge, issuing officer, violator information, and location of violation. Traffic arrest information is also maintained.
 1. Arrest information for all intoxicated-related traffic offenses will be forwarded to the central repository of the Missouri State Highway Patrol as required by RSMo 43.544.
 2. Berkeley Municipal Court maintains computerized data on court disposition of all traffic violation summonses issued by BPD personnel and cited into Municipal Court.
 3. Roadway hazard conditions are immediately communicated to Emergency Communications Dispatch for immediate referral and action by the appropriate agency (Street Department of Berkeley Public Works, or Missouri State Highway Department).

- C. The computer system shared by the Traffic Division allows statistical reporting, including traffic crash/enforcement analysis by location and time frame as well as identification of high frequency crash locations within the City. Analytical data is used to develop enforcement strategies and assist in traffic grant reporting.

DRAFTED BY: Eye-Liza Conner	DATE: 7/31/17
BY ORDER OF: ART JACKSON INTERIM CHIEF OF POLICE	DATE: 8/14/17
APPROVED BY: Public Safety Committee	DATE: 8/18/17
APPROVED BY: Berkeley City Council	DATE: 9/18/17