



**TOWN OF SENECA FALLS POLICE DEPARTMENT**  
**GENERAL ORDER**



<b>GENERAL ORDER #:</b> 490	<b>RESCINDS:</b> 07/01/13,07/08/14
<b>SUBJECT:</b> Records	<b>NYS ACCREDITATION:</b> 8.2, 8.5, 8.7, 8.11
<b>EFFECTIVE DATE:</b> 03/20/2019	
<b>BY ORDER OF:</b> Stuart W. Peenstra, Chief of Police	

**I. PURPOSE**

To establish the procedures for a records management system.

**II. POLICY**

- A.** Records section personnel are responsible for records maintenance, filing, and security.
- B.** As with every call for police service, written or otherwise, each call for service shall include at a minimum:
  - 1. A complaint or control number (CR#);
  - 2. Nature of call;
  - 3. Date and time of call;
  - 4. Names of person(s) involved; and
  - 5. Action, if any, taken by the agency
- C.** Records shall be retained under guidelines established by the New York State Department of Education (Schedule MU-1).
- D.** The department shall maintain full participation in the state fingerprint/criminal history records system and Uniform Crime Reporting System or National Incident Based Reporting System.
- E.** The department shall maintain an arrest history record for each person arrested.
- F.** Laws concerning youthful offenders and expunged records will be followed at all times.
- G.** Any required departmental report or form will:
  - 1. Be appropriate to the type of activity performed, service provided, or information received;
  - 2. Cover the subject as completely as possible and contain all pertinent information available at the time;
  - 3. Be written promptly, accurately, comprehensibly and legibly.
- H.** Whenever possible, all reports and forms relating to daily activity will be completed and submitted prior to the end of the tour of duty.

**III. PROCEDURES**

- A.** Written reports will be completed and submitted for supervisory review.
- B.** Shift supervisors will review all submitted reports for completeness and accuracy.
- C.** Based upon the specific reported incident, officers will determine if the case will be classified as a field, office or closed investigation.
- D.** Field cases may be handled by the officer taking the original report, or assigned to another

officer as needed. Cases requiring follow-up investigation by CIS will be forwarded to the investigator. The reviewing shift supervisor may assign cases requiring more immediate attention.

#### **IV. DISTRIBUTION OF REPORTS**

- A.** After supervisory review, reports will be distributed and filed per the General Order specific to each report form.
- B.** Computer Generated Reports:
  - 1. Officers utilizing computer generated report forms are required to produce one original and one copy. A numeral "1" will be placed at the center-bottom of the original report. A numeral "2" will be placed at the center-bottom of the copy. The original will be submitted for supervisory review and shall have the officer's signature or initials placed near their type written name in the Reporting Officer box.
  - 2. Computer generated reports shall be forwarded as follows:
    - a. Copy 1 (original) will be forwarded to the Records Section for filing.
    - b. Copy 2 will be placed in the complaint basket located at the front (reception) desk.

#### **V. ARREST RECORD PROCEDURES**

- A.** An arrest file will be completed when an arrest is made of any defendant for any offense.
- B.** Each arrest file shall include arrest report, incident report, accusatory information's, statements and all other paperwork pertaining to the arrest
- C.** All necessary e-justice file requests and cancellations are to be made to the 911 center by the officer or the shift supervisor.
- D.** All court required documents are forwarded to the courts. Copies of court documents shall be filed with applicable reports.
- E.** A copy of all paperwork in the arrest file shall be forwarded to the District Attorney's office.

#### **VI. RECORDS FILING AND SECURITY**

- A.** Current and previous year written reports will be filed by the Records Section in the File Room. These reports will be locked when Records Section personnel are not available. Access to locked filing cabinets will be limited to Records Section personnel and/or supervisory officers.
- B.** All written reports, arrest files, and archives will be maintained by the Records Section in a secure area of the police department, or in appropriate, secure off-site locations with the approval of the Chief of Police. Access to all archives will be limited to Records Section personnel and supervisory officers.

#### **VII. RECORDS RETRIEVAL**

- A.** Requests to retrieve filed records will be made to Records Section personnel or a

supervisory officer.

- B. Police personnel may obtain hardcopy records necessary for the accomplishment of their official duties directly from their supervisor or Records Section personnel.
- C. Records will be removed from the police department ONLY for official police or court business or when properly subpoenaed. Records will be signed out prior to leaving the building and signed back in when returned to the records office.
- D. Records may also be obtained from the department's computer system. All officers will have access capabilities with the department's computer system.
- E. Police personnel from other agencies, prosecutors, probation/parole officers, courts, child protective services etc., may obtain authorized departmental records through the Records Section for official business only. Officers assisting with an investigation may also provide such information.
- F. Victims, reporting persons, etc., may obtain copies of department reports pertaining to their involvement by making a written request under the provisions of the Freedom of Information Law.
- G. Only pertinent documents may be shown to an arrestee. Handwritten notes and any papers that were part of an officer's investigation are not public records.
- H. Record checks made for official law enforcement agencies will be done during normal business hours. Supervisory officers may permit the release of record check information outside business hours if necessary.
- I. Requests for "background checks" must be made to the Records Section during normal business hours. Such requests must be accompanied by an approved form authorizing the release of information.
- J. Requests for statistical information will be referred to the Chief of Police or Data Entry Clerks.

#### **VIII. FREEDOM OF INFORMATION LAW**

- A. Any person requesting information under the provisions of the Freedom of Information Law, are to be directed to make their request through the Record's Office.
- B. Freedom of Information requests are forwarded by the Data Entry Clerks to the Chief of Police.
- C. The Chief of Police will review all received Freedom of Information requests and determine whether the department will comply with or deny the request.
- D. Any denial of a request under the Freedom of Information Law must adhere strictly to the guidelines established by such law.
- E. The Data Entry Clerks will provide a written acknowledgement of such request to the individual seeking information as required by law.

#### **IX. RECORDS ADMINISTRATION**

- A. During normal business hours, the Records Section will complete the following:

1. Take, and enter into the Spillman CAD system complaints that come directly into the department and advise the 911 center of the call; (Revised 3/20/19)
  2. Enter supporting information for each event from written police reports into the departments computer system when appropriate;
  3. Forward appropriate paperwork to the Court, District Attorney's Office and DCJS;
  4. File all written reports;
  5. Complete all request for background record checks;
  6. Note all court dispositions on arrest files;
  7. Issue and maintain files of Handicap Parking Permits;
  8. Enter Parking Summons/Warnings into Department Computer System. (Revised 3/20/2019)
  9. Oversee Office Equipment, Order Office supplies.
- B.** The Chief of Police and Data Entry Clerks will oversee the computerized records management system.
- C.** The Data Entry Clerks will prepare a monthly report showing statistical data for the month by officer and event.
- D.** The Records Section will transference, update and validate all appropriate reports into IBR And prepare the monthly Incident Based Crime Report (IBR). The Report will be submitted to the Division of Criminal Justice Services (DCJS) in Albany which then forwards the report to the Federal Bureau of Investigation.(Revised 3/20/2019)
- E.** The Data Entry Clerks will complete and submit a report to the Chief of Police containing all annual statistics for calls for service, criminal arrests, summons and any other data requested.

## **X. JUVENILE RECORDS**

- A.** All files related to juvenile contacts will be maintained in the Supervisor's Office and kept in accordance with applicable law and the following provisions:
1. All police records relating to the arrest and disposition of any juvenile will be kept in files separate and apart from the arrests of adults.
  2. Juvenile records will be withheld from public inspection.
- B.** A supervisor designated by the Chief of Police will be responsible for overseeing the collection, dissemination, and retention of all juvenile records.(Revised 07/08/14)

## **XI. SEALING CRIMINAL RECORDS**

- A.** The Records Section is responsible for the sealing of all adult criminal cases when directed by a Court. The Court officers will forward the sealing order to the Records Section, which will be responsible for any expungement of photos, fingerprints, case packages, arrest blotter, and original reports. Seal orders from the Court will be classified under either Section 160.50 or 160.55 of the Criminal Procedure Law.
1. Initial Processing
    - a. Ascertain the section of Law the seal is being ordered under.

- b. Obtain the CR number for the case via the master name index. Retrieve the case file from the file drawer to be sealed.
  - c. All sealed files are maintained in a separate non-public file
2. CPL 160.50 Processing  
Under this Section, a total expungement of Arrest Records is performed.
- a. Update computer records as follows:
    - i. Department's system- Partition the Arrest and Incident to SFSEAL in Spillman. (Revised 3/20/2019)
    - ii. State RICCI system – Seal/Delete the defendant's arrest booking information.(Revised 3/20/2019)
  - b. Seal the Arrest File Envelope and mark as a sealed case.
  - c. The Records Clerk will destroy any hard copy fingerprints and photographs under CPL 160.50 if they exist.
  - d. Information sealed under CPL 160.50 will be released only in compliance with the provisions
3. CPL 160.55 Processing
- a. Update the defendant's arrest disposition in the department's file system.
  - b. Update computer records as follows:
    - i. Department's system – Partition Arrest and Incident in SFSEAL in Spillman. (Revised 3/20/2019)
    - ii. State RICCI system – Seal/Delete the defendant's arrest booking information.(Revised 3/20/2019)
  - c. The Records Clerk will destroy any hard copy fingerprints and photographs under CPL 160.55 if they exist.
  - d. Information sealed under CPL 160.55 will be released only in compliance with the provisions of CPL 160.55.1(d).
- B.** Juvenile records shall be sealed pursuant to CPL Article 720.
- 1. Partition Arrest & Incident Reports in Spillman to SFSEAL. (Revised 03/20/2019)
  - 2. Juvenile arrest packages shall be removed from the Juvenile Drawer and re-filed in the sealed case file area.