

**CITY OF FERGUSON
OFFICE OF THE CHIEF OF POLICE****Index as:**

Record Room, Establishment of Procedures
Police Report Preparation
Police Report Storage/Retrieval/Distribution
Closed or Expunged Records
Release of Information
Record Room Function
Records Retention

RECORDS INTEGRITY**500.00 PURPOSE**

The purpose of this General Order is to ensure the proper preparation, storage, and retrieval of police records that are basic and essential to the police reporting system. While a quality records system is the responsibility of all components of the Department, the Commander of Administration manages the Records function.

500.01 POLICE REPORT PREPARATION

- A. Every citizen complaint, criminal incident or non-criminal incident, to which an officer is dispatched, assigned or encounters during self-initiated activities, will be documented in a report, C.A.D. comments, or I.T.I. Deskbook entry. The comments and dispositions will indicate if reports, citations, memorandums or other documents are prepared.
- B. Upon diligent completion of all assignments, the officer will assign one of the following dispositions:
 1. Report – an incident, accident or other offense has occurred without an arrest, and a police report will be prepared.
 2. Arrest – someone has been arrested for the offense and a report will be prepared.
 3. No Report Necessary (NRN) – An incident or accident has occurred which required police service, but does not require a police report.
 4. Warning – A violation of ordinance has occurred and a written or verbal warning was issued to the violator. No police report will be prepared.
 5. Summons – A violation of ordinance has occurred and a citation has been issued.

6. Gone on Arrival (GOA) – An incident, accident, or offense may have occurred but the assigned officer is unable to locate the reporter, victim, witness, perpetrator, or evidence to substantiate further investigation. No police report is prepared at this time.
7. Unfounded. - No incident or offense occurred and no police report will be prepared.
8. Non-Valid Alarm – An alarm was activated accidentally or by system malfunction and there is no burglary, robbery or fire.
9. Valid Alarm – An alarm was not activated accidentally or by a system malfunction.

C. As specified in G.O. 406.00 (Police Report Procedures), certain incidents and offenses allow or require that a specialized report form be used. These forms will be handwritten or typed and include, but are not limited to the following:

1. Alcohol Influence Report and related forms;
2. Authorization to Tow Report (DOR 4569)
3. Sudden Death Report
4. Attempt/Suicide Report
5. Animal Bite Report
6. Waiver of Liability
7. Recovery of Stolen Auto (other jurisdiction)
8. Missing Persons Report
9. Lost and Found Articles Report
10. Non-Lethal Use of Force Report

D. A sequential complaint number will be assigned to original incidents entered into the Information Technologies Inc. (I.T.I.) system. The number will include a two-digit prefix indicating the year.

1. The I.T.I. system will automatically assign a complaint number (CN) when an officer notifies the dispatcher that the assignment or self-initiated action requires a complaint number.

2. Officers may also request complaint numbers for multiple offenses/incidents by contacting the dispatcher.
3. Supplemental reports are assigned the original report number.

E. In general, officers will complete original and supplemental police reports using the Information Technologies Inc. (I.T.I.) computer system. The I.T.I. system will be used for storage of all offense reports unless a specific report form is otherwise required.

F. For additional on Police Report Format and Procedures *see G.O. 406.00 Police Report Procedures.*

500.02 POLICE REPORT STORAGE, RETRIEVAL, AND INTERNAL DISTRIBUTION

- A. Distribution of police reports is the responsibility of the Records Clerk.
- B. All police reports are stored in the I.T.I. computer system. I.T.I. can automatically cross index information for investigative purposes.
- C. Incidents involving juveniles are stored in the I.T.I. database. The files are maintained in accordance with the Missouri Sunshine Law, RSMo. 610 and the guidelines set forth by the Missouri Secretary of State. The storage of juvenile and adult reports is paperless as of July/2012.
- D. Every Class I Crime report certified as "Active" is distributed in the I.T.I. system to the Bureau of Operational Support for follow-up investigation.
- E. The Record Room Clerk will compile monthly a listing of all juvenile offender reports and forward the packet to the Commander of Operational Support for transport to Family Court of St. Louis County located at 501 South Brentwood, Clayton, MO. 63105.
- F. The I.T.I. system is used to prepare statistical reports for submission to the FBI Uniform Crime Reporting section.
- G. Auto accidents are distributed to the S.T.A.R.S. Unit of the Missouri State Highway Patrol through the L.E.T.S. system. Copies of Leaving the Scene cases are assigned to the Bureau of Operational Support. (Supervisors approve the accident reports in L.E.T.S. and then electronically transmit them to S.T.A.R.S. The record clerk monitors the activity and disseminates accident reports.)
- H. The record system will continually be reviewed to ensure that the capabilities of the agency's records system are both understood and used. This review will also identify problems and essential modifications.

500.03 WARRANT AND WANTED RECORDS MANAGEMENT

- A. A written directive establishes the requirement that all persons wanted for offenses by the Ferguson Police Department, missing persons or runaway persons be entered into the National Crime Information Center (NCIC) and Missouri Uniform Law Enforcement system (MULES) immediately. This policy should also ensure that a copy of the missing/runaway report is forwarded to the Missouri State Highway Patrol Records Section. The policy should also include the removal of arrested persons or closed cases from the systems as required. A written directive should also include the procedure to activate a local alert system and to activate the Missouri State Alert System.
- B. General Order 446.00 entitled Runaways and Missing Persons Reports and General Order 609.00 entitled Computer Entries fulfill subsection A of 500.03.

500.04 PROCEDURES FOR PROCESSING AND STORING CLOSED OR EXPUNGED RECORDS

- A. RSMo. 610, the “Sunshine Law”, establishes practices for the closure, dissemination, and expunction of police reports.
- B. Closed Records - Any requests or orders to close a record will be filed with the original report. Should the report already be on microfilm:
 1. The closure will be noted on the microfilm cassette, and
 2. The closure request or court order will be filed in the appropriate secure cabinet.
- C. Expunged Records – Upon the receipt of an authorized court order to expunge reports, records and files, record clerks will obliterate all identification of the arrestee in all related documents. The Records Clerk, upon an authorized court order of expungement, will notify the Property Manager, to obliterate all photos and LID files, including fingerprint cards.
 1. Designated personnel will delete the expunged information from REJIS files, following the format prescribed by REJIS.
 2. Copies of the court order for expungement will be forwarded to the Central Records Section of the St. Louis County Police Department and to the Missouri State Highway Patrol and F.B.I. as applicable.
 3. The court order, and proofs that the court order has been carried out, will be filed in a secure file in the property room.

500.05 RELEASE OF INFORMATION OUTSIDE OF THE DEPARTMENT

- A. Policy – All information, records, and reports that the Department has control over are confidential and shall not be released outside of the Department unless authorized. This includes all computerized information from the REJIS and in-house computer systems. All employees with access to criminal justice records through REJIS, MULES, and NCIC are required to comply with the policies concerning the entry, modification, retrieval and release of these records. The Department will investigate all suspected instances of misuses, and confirmed misuses may result in disciplinary action, up to and including termination of employment. The release of certain records may violate state and/or Federal laws or regulations which may result in civil and criminal penalties. Open public records may be released only in accordance with Department Procedures.
- B. Only information regarding Ferguson incidents or arrests may be released.
- C. When releasing reports to the public:
 - 1. A receipt with duplicate is completed indicating the cost and the name of the requesting party. The receipt also indicates the date and report number issued. The original is given to the requesting party. The duplicate receipt is kept in records.
 - 2. If the report is generated out of the I.T.I. system, the report generates a date/time stamp on the report automatically.
- D. Release of reports – Three types of reports are defined under the statute: incident, arrest, and investigative. A police report may include one or more of these and each type of report must be reviewed and considered separately to determine if the information is open or closed.
 - 1. Incident Report – Details the date, time, and specific location, name of victim and the immediate facts and circumstances surrounding the initial report of a crime or incident. These include logs, crime reports, accidents and complaints.
 - 2. Arrest Report – Names the person arrested and the charges.
 - 3. Investigative Report – A record, other than an arrest or incident report, inquiring into a crime or suspected crime. The investigative report is a closed record until the investigation becomes inactive by reason of:
 - a. Expiration of the statute of limitations of ten years after the offense of the crime, whichever comes first, or
 - b. All persons convicted for the offense have exhausted all appeals of their conviction(s).

E. Information on the identity of persons named in the reports will not be released if:

1. The victim is the victim of a sex crime;
2. Release of identity would endanger the safety of victims, witnesses, undercover officers, informants, or other persons named in the incidents;
3. Release of the information would jeopardize an active investigation;
4. Release of the suspect's name would hinder the location or arrest of the suspect, and/or
5. Information would disclose investigative techniques, procedures, or guidelines.

F. Response to inquiries about persons in our custody:

1. Bond amounts and bonding procedures can be released;
2. If a suspect is being held without warrant, refer the inquiry to the case detective or shift commander, and;
- 3 For inquiries about charges from other departments, refer the inquiry to the other department.

G. Response to civilian inquiries about persons wanted by our Department:

1. Municipal Warrants – No information will be given to persons other than the suspect.
2. Wanted(s) – Refer the inquiry to the officer/detective handling the case or to the shift commander.

500.06 RECORD ROOM FUNCTION

- A. Access to the Record Room will be restricted to authorized staff only.
- B. Original reports must remain within the records room.
- C. If a copy of any police report is requested the Records Clerk will follow the procedure outlined in G.O. 500.05 C.
- D. On a regular basis, the record room clerk will provide the Commander of the Division of Field Operations with a list of all reports that have not been received in the record room. The record room clerk will copy that list to the supervisor of the record room, the Commander of the Bureau of Administration. Action is then directed by the

GENERAL ORDER 500.00

August 31, 2011

Commander of D.F.O. to locate and forward any missing reports to the record room for filing.

- E. Periodically, the St. Louis County Prosecuting Attorney's Office will forward case disposition information. The dispositions will be forwarded to the case officer who will complete a supplemental report indicating the advancement of the case. The case officer will notify the Property Manager who will update the REJIS entry, and maintain a file regarding the changes.
- F. Public window duties provided by the Records Clerk may include:
 1. Referring inquiries to the proper Department, directing persons to locations within the Department (i.e. Detective Bureau, shift commander, etc.);
 2. Providing police reports to individuals requesting them following Department guidelines;
 3. Requesting the dispatcher to have an officer respond to the station for a report or other field operations function, or
 4. Providing any other assistance within the scope of record room expertise.
- 5. The Department photocopy machine is located in the record room. The machine is used by designated clerical personnel and officers to copy reports, documents, or other police related papers. The records clerk is responsible for the supply of paper and for making notification of repair when needed. The records clerk normally copies reports for other Department components and municipal, county, state and federal agencies. Copies are also made of documents for distribution to city and police administrators, and any documents requested or required by Department policy and procedure.

G. Record room access

All record room files will be secured by the Records Clerk or other designated authority at the close of normal business hours.

500.07 RECORDS RETENTION

The Department maintains all police reports and various administrative records, in accordance with the Missouri Sunshine Law, RSMo. 610 and the guidelines set forth by the Missouri Secretary of State.

GENERAL ORDER 500.00

August 31, 2011

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By order of:

A handwritten signature in black ink, appearing to read "Colonel Thomas Jackson".

COLONEL THOMAS JACKSON

Chief of Police

Distribution

All Department Personnel

MPCCF Reference 32.1, 32.3, 32.5