
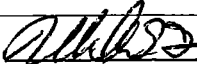


CHAPTER 5 DEPARTMENTAL RECORDS

	ARGYLE POLICE DEPARTMENT	
	Policy 5.1 Departmental Records	
	Effective Date: 08MAY17	Replaces: 29DEC11
	Approved:  Chief of Police	
	Reference: TBP 5.01, 5.02 5.03 and 10.02.	

I. POLICY

The Records Unit function is critical for the effective delivery of law enforcement services. An efficient means of storing, cataloging, and retrieving records is essential to meet the management, operational, and informational needs of the police agency.

II. PURPOSE

The purpose of this policy is to assist records personnel in maintaining an effective record keeping system.

III. RECORDS SECURITY (TBP: 5.01)

- A. The Police Records room is a restricted area. The Administrative Assistant to the Police Department will be provided training in Law Enforcement Records Management, TCIC/NCIC Less Than Full Access and the Public Information Act.
- B. The police records room is restricted to assigned personnel only.
- C. The records room will be secured and locked when no one is present.
- D. Personnel authorized by the Chief of Police may have access to the records room after hours for need to know information only.

IV. RECORDING OF INCIDENTS BY CATEGORY

- A. In order to develop a comprehensive reporting system, it is necessary to record actions taken by law enforcement personnel whether in response to a request for service or self-initiated actions. Each reported incident occurring within the

Department's service area will be categorized as one of the following and will receive a sequential incident or case number:

1. Individual's request for service, crime reports, or complaints which:
 - a. Requires an officer to be dispatched.
 - b. Requires an assigned employee to investigate.
 - c. Requires an assigned employee to take action at a later time.
2. Self-initiated criminal and non criminal cases by officers
3. Incidents involving arrests, citations (other than traffic), or summonses

B. Assignment of Case Numbers

1. As Dispatch personnel become aware of an incident occurring within the town service area that requires the initiation of police activity, they will assign an incident number generated by the CAD (Computer Aided Dispatch) system.
2. Case numbers will be assigned in numerical order. Other reports, such as an accident, impound, property and evidence recovery, etc., will be assigned the CAD incident number.
3. When an incident is assigned a CAD number, the following information regarding that incident will be entered into the CAD system by dispatch personnel:
 - a. Date and time of the initial reporting
 - b. Name and address of the complainant or victim requesting the service (if known).
 - c. Nature of the incident and the location.
 - d. Officers assigned to the call.
 - e. Time dispatched, arrived, and returned to service.
 - f. Status, date, and time of action taken on the call.

C. Officer's Responsibilities

1. Officers will complete all required reports and submit them to a supervisor prior to ending their shift.
2. Supervisors will review all reports for accuracy and completeness.
3. Reports returned to officers for correction will be documented by the supervisor and the supervisor shall follow up on the following shift to ensure the report has been corrected and submitted.

D. Juvenile Records (TBP: 10.02)

1. A file is maintained on each juvenile (age under 17) arrested, referred or detained by an officer. The file includes all documents associated with the contact as indicated in this section. State and federal laws require juvenile files to be kept separate from adult files.
2. Juvenile fingerprints and photographs, if taken, will be turned over to the Juvenile Probation Department intake officer. Police Records will not maintain fingerprints or photographs of juveniles. Should fingerprints or photographs be turned over to Police Records they will be destroyed as specified in the Family Code sections 58.001 and 58.002.

E. Computerized Criminal History Information

1. Computerized criminal history information (CCH) is a federal/state cooperative system of a variety of databases (arrests, convictions, driving records, outstanding warrants, and others). The computerized criminal history (CCH) data base lists all arrests and convictions for offenses above Class C misdemeanor that have not been purged due to the state/federal age purge criteria.
2. Access to the TCIC/NCIC criminal history data base is limited to designated personnel. The program generates its own log showing who accessed the system. The log is computerized and maintained by Denton County.
3. Access to CCH information through local law enforcement agencies is limited to criminal justice uses. Individuals who request a copy of their computerized criminal history must do so through the Texas Department of Public Safety in Austin. Numerous agencies have been given authority to access criminal history information on prospective licensees or applicants. The statutes giving this authorization do not permit use of local police agency TCIC/NCIC lines for obtaining the CCH. Requests of this nature are to be referred to a supervisor.

V. DISTRIBUTION OF REPORTS AND RECORDS

- A. The distribution of reports to the various specialized organizational components within the agency is peculiar to the particular type of report. After reviewing the reports for completeness, the patrol supervisor will forward all reports to CID. CID

will process and give the reports to the Administrative Assistant for the Police Department for final filing.

- B. The original of all records are to remain within the records room. All corrections or amendments to an original report are made by supplement and not by changing the original report. Supplementary reports will be sent to the Administrative Assistance for filing whenever additional information is processed (if not added through the RMS).

VI. RECORDS RETENTION AND DESTRUCTION (TBP: 5.02)

- A. Records will be retained in the Records Unit as specified in this policy and purged or destroyed only in accordance with the approved Town Records Retention Policy and any Court Orders to expunge.
- B. Accident Reports: A copy of each accident report will be kept for two years in an on-line database. Copies will be destroyed after two years. Persons wanting accident reports older than two years can order a copy directly from the Texas Department of Public Safety.
- C. Offense Reports: Because some offense have no limitations period (can be prosecuted at any time) and because the limitations period for some offense is based on the age of the victim at the time of the offense, offense report purging cannot simply be based on calculation of a number of years from the date of the offense. Effective on January 1, 2017, all official Argyle PD offense reports will be maintained electronically through Laserfische and will be destroyed as dictated in the approved Town Records Retention Policy. Offense reports prior to January 1, 2017 will undergo a review as to their eligibility for destruction at least once per year.
- D. Adult Arrest Files: Adults may obtain a court order to have their arrest records expunged as specified in Chapter 55 of the Code of Criminal Procedure; otherwise, adult arrest files will be kept until a report of death of the arrestee or a period of seventy-five years.
- E. Juvenile Arrest Files: (TBP: 10.02)
 - 1. A Juvenile arrest file will be created for every juvenile taken into custody by members of this department. Juvenile files are maintained separately from adult files and are kept secure from unauthorized disclosure.
 - 2. Persons may have their juvenile records sealed (not destroyed) by court order as specified in Family Code section 58.003.

3. A court may order destruction of juvenile detention files as specified in Family Code section 58.006.
 4. Arrest report files on juveniles who were referred to the Juvenile Court may be purged after the person reaches age 23.
 5. Arrest report files on juveniles who were not referred to the Juvenile Court may be purged after the person reaches age 18.
 6. Police Records will not maintain fingerprints or photographs of juveniles because the juvenile was detained by police or suspected of a criminal offense as specified in Chapter 58 of the Family Code. Fingerprints and photographs taken as part of the juvenile intake process will be turned over to the Juvenile Probation Department officials. Should fingerprints or photographs be turned over to Police Records they will be destroyed as specified in Family Code sections 58.001 and 58.002.
 7. Any juvenile records maintained in a Gang or Criminal Street Gang intelligence file will be maintained, managed and removed pursuant to Texas Code of Criminal Procedure Articles 61.04 and 61.07.
- F. Destruction of files and records will be done by shredding, burning, or other means of destruction approved by the Chief of Police and the Records Coordinator for the Town of Argyle when documents exceed the required retention schedule.

VII. UNIFORM CRIME REPORT (UCR)

- A. It is the responsibility of the Administrative Assistant to the Police Department to complete the monthly UCR and Department Crime Report in a timely manner.
- B. The Administrative Assistant must read and be familiar with the UCR Handbook including UCR reporting standards and must perform several audit checks for each crime reported.

VIII. RELEASE OF RECORDS (TBP: 5.03)

- A. Release of information reported to law enforcement agencies is governed by the Texas Public Information Act.
- B. Any request for information contained in any report made or compiled by the department is to be gathered and then referred to the Chief of Police or his designee.

- C. All Arrest files which are maintained in the records files and computer will be the responsibility of the Administrative Assistant/Records Supervisor. Copies of files will only be released to persons authorized below.
1. Personnel of this department.
 2. Sworn officers from other agencies if needed for official business.
 3. Courts of law under proper process.
 4. District Attorneys.
 5. Federal Law Enforcement Agencies
 6. Probation departments.
 7. Military Personnel with a written request and signed waiver of the named person.
- D. Juvenile arrest information is closed to public information requests and will not be released without Court Order or signed waiver from the juvenile and a parent or guardian.
- E. Original reports will only be released to members of this Department and will be documented with date, name, file name and number and the clerk releasing the files in the Records "check-out log." A copy will be made prior to release of any original report and the Records "check-out log" will be completed upon each request. Upon the return of original records, the Records clerk will check the contents of the return against the "check-out log" and note when and who returned the files. If there are no discrepancies in the contents of the records being checked in, the receiving person will initial the "check-out log" placing all records in its originating file location.
- F. Records personnel will respond to all requests from the courts for original records. A complete copy of the records requested will be made before removing the original from the Records Unit.
- G. Individuals may request a "Clearance Letter" for purposes of travel visas, adoptions, and other reasons. Records personnel will obtain at least two pieces (one photo) of identification, along with a written request and check the person's local record only. The Records personnel will prepare a "To Whom it May Concern" letter indicating that no criminal record has been recorded in the Town of Argyle. State or Federal Criminal History inquiries are made directly to those agencies by the individual.



ARGYLE POLICE DEPARTMENT

Policy 5.2 Media and Public Information

Effective Date: 08/01/2011

Replaces: GO 0107

Approved: 

Chief of Police

Reference: TBP 5.03.1 and 5.04.1

I. POLICY

This agency must have the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal. A positive working relationship with the media is mutually beneficial. It shall be the policy of this agency to cooperate with the news media and to maintain an atmosphere of open communication. To this end, information shall be released to the news media in an impartial, accurate and timely fashion. It shall be the responsibility of each employee to abide by this philosophy of cooperation.

II. PURPOSE

To establish guidelines regarding media relations and the release of information to the public through the news media.

III. RESPONSIBILITIES IN RELEASING INFORMATION

- A. The Chief of Police may designate any member of the department as the Public Information Officer (PIO) for the department. The PIO is the primary contact for the news media. In the event no PIO is designated or is unavailable, the Chief of Police is responsible for PIO duties.
- B. Supervisors with responsibility for a specific case or incident may be the secondary contact for the news media with the approval of the PIO.
- C. The Chief of Police or supervisors may direct other employees to respond to media inquiries.

IV. TRAINING

This agency is committed to providing proper training for its public information officer. Supervisors, line officers, and other personnel who interact with the

media shall also be provided appropriate training in Media Relations and the Public Information Act.

V. PROCEDURES

A. Media Inquiries

1. The agency shall respond to all media inquiries in a timely and professional manner. During normal business hours, media inquiries shall be directed to the PIO. No employee shall release any information that would jeopardize an active investigation, prejudice an accused person's right to a fair trial, or violate the law.

B. Interviews

1. The Chief of Police or PIO shall be responsible for assisting the news media by conducting interviews or coordinating interviews with other qualified agency personnel. Employees contacted directly by the media shall notify the Chief of any interview requests. All conversations with members of the news media should be considered "on the record" and subject to being quoted.

C. News Releases

1. News releases may be written and disseminated to the media and to agency employees on major incidents and events of community interest or concern.

D. News Conferences

1. News conferences may be held in connection with major events of concern to the community.

E. Access to Crime Scenes and Critical Incidents

1. Agency personnel shall be courteous to news media representatives at crime and critical incident scenes.
2. The Chief or PIO designee, may grant closer access to news personnel and their equipment, to the degree that it does not interfere with law enforcement operations.
3. No member of this agency shall prohibit the media from news-gathering practices, including photography and interviews, outside the established perimeter.
4. News media representatives shall not be prevented from access to any area solely because of the possibility of their injury or death. If this is the only

consideration, the scene commander shall advise the media representative of the danger and allow the media representative to make the decision to enter on his or her volition.

5. Only the Chief or scene commander shall release information to the news media at crime and critical incident scenes. At critical incident scenes, the Chief or scene commander shall establish a media briefing area as close to the scene as safety and operational requirements allow.
6. At critical incident scenes, members of the agency shall work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.

F. Access to Suspects

No member of this agency shall pose any suspect or accused person in custody or make him or her available for media interviews.

G. Joint Investigations or Operations Involving Another Agency

In a multijurisdictional investigation, the lead investigative agency is responsible for providing or coordinating the release of public information. The PIO or designee for the lead agency shall share that information with all involved agencies in advance of public dissemination.

VI. INFORMATION RELEASE GUIDELINES

- A. The release of information is subject to restrictions placed by applicable state, and federal laws. No member of this agency shall release any information that would hamper the successful conclusion of an investigation or jeopardize the safety of affected persons.
- B. Agency members can release the following information:
 1. Basic information about a crime or incident
 2. Basic information about victims, except as excluded by law
 3. Description of suspects
 4. Basic description of weapons and vehicles used
 5. Basic description of stolen items
 6. Basic description of injuries and condition of victims
 7. The name, age, address, and other basic information about arrestees and the charges against them
 8. Information contained in arrest affidavits and other applicable crime or incident reports
 9. Booking photographs

C. Agency members shall not release the following information:

1. Names, addresses, and any other information that would identify the victim of a sex offense, child abuse, or any other crime where the privacy of the victim is protected by law
2. Names, addresses, and basic information about juvenile arrestees, as governed by state law
3. Active criminal investigative information, active criminal intelligence information, and surveillance techniques
4. Names of informants and information provided by them
5. Supplemental or investigative reports until such time as the case is closed or the lead investigator deems it permissible
6. Grand jury testimony and proceedings
7. Active internal affairs investigations, as governed by state law
8. Names of witnesses, unless required by state law
9. The identity of critically injured or deceased persons prior to notification of next-of-kin
10. Home address, telephone numbers, and familial information of law enforcement personnel
11. Names of undercover personnel
12. Any other information that could jeopardize the successful conclusion of an investigative and prosecution
13. Any other information prohibited by state law from public disclosure.