



California State University, Los Angeles
Department of Public Safety

NUMBER: II-1 APPROVED: _____
Joseph Curreri, Chief of Police

EFFECTIVE: March 28, 2013

SUPERSEDES: 5/1/2010 Reviewed/Revised: March 28, 2013

SUBJECT: **Overview Guidelines Records Management**

I. PURPOSE:

To establish a policy and procedure concerning records management for permanent employees.

II. POLICY:

Due to the sensitive nature of the information maintained within the Records Office, all records are subject to limited access by Records personnel only. All record requests must be authorized by the Records Supervisor or personnel assigned to records.

III. DEFINITIONS: None

IV. PROCEDURE:

A. Primary report system:

1. Initial data recording – ARMS (Automated Records Management System).
2. Report numbering system.
3. Type of reports.
4. Preparation of reports.
5. Report indexing.
6. Report distribution.
7. Filing.
8. Purging.

B. Automated Records Management - Computer Aided Dispatch:

1. Daily activity log: Used as the primary document for recording initial data. This log is maintained by Dispatch and forwarded to Records at the end of each month.
2. The four time elements are entered into the log along with a narrative description of the incident including appropriate identifying information, property, disposition, report number and assigned officer. Each separate shift is identified.

3. Media Log: In accordance with the Public Records Act (Government Code Sections 6250-6265), a copy of the Media Log is available for viewing upon request.

C. Report numbering system:

Numbered reports are formal, operational reports that must be prepared to meet legal requirements and are subject to retrieval. The report numbering system consists of the last two digits of the current year and a sequential number (for example, 990001, 990002). All documents relating to a single event will have this uniform number.

D. Types of reports:

1. Crime/incident report
2. Property report
2. Arrest/booking report
3. Supplemental and follow-up reports
4. Injury/accident report
5. Miscellaneous (lost/stolen decal)

E. Report processing:

A report that has been approved by the Supervisor is routed to Records for processing. Records personnel provide a quality control check on each report received.

F. Report indexing:

Reports received in the Records Office are indexed by name in the Master Name index maintained in the Automated Records Management System (ARMS). The alphabetical index card system was phased out in January 2002.

- Victim (or reporting person if the victim is unknown) in all numbered reports; if the victim is a firm, the firm name is indexed
- Arrested persons (Aliases and aka's are also indicated)
- Person(s) name on an arrest warrant
- Driver's involved in motor vehicle accidents
- Registrant's pursuant to Penal Code Sections 290 and 457.1, and Health and Safety Code Section 11590
- Suspect in all numbered reports. However, prior to release of any information regarding a suspect, the report is reviewed and verified with the detective unit to ensure the status of the suspect

The ARMS Master Name index contains the following information:

- Name of victim, suspect, reporting party, arrested person(s), witness, and business firm name if victim
- Category of name indexed by classification:
 - V = Victim
 - S = Suspect
 - V/S = Victim/Suspect
 - A = Arrestee
 - W = Witness
 - DC = Discovered Crime
 - RP = Reporting Party
 - RO = Registered Owner
 - T/C = Traffic Collision
 - P = Party to Traffic Collision
 - IP = Injured Party for Accident Report (STD. 268)
 - O = Other (for reporting persons other than those listed above)
- Type of report
- Report number
- Date of report
- Confidential Report (no information is released at victim's request)

G. Report distribution: this process is a series of activities to disseminate information to the proper sources. Records Office personnel will:

1. Photocopy reports
2. Distribute reports to Investigations: Copies of reports involving criminal offenses are sent to the Investigations Unit for information or investigation. Reports copied are logged in on the form titled Copies of Reports Given to Investigations. (See Appendix #E for exemplar of form)
3. Distribute copies to Dispatch communications office.
4. Department of Justice Penal Code Section 11107 identifies the reports local agencies are required to send to the Department of Justice.
 - California Highway Patrol, Vehicle Code Section 20008 identifies the traffic accident reports that must be sent to the California Highway Patrol.

Other Federal and State Distribution:

- Federal Bureau of Investigation: bomb incidents/bank robberies;
- Treasury Department, Secret Service: counterfeiting;
- Department of Motor Vehicles, Alcohol Beverage Control: alcohol related incidents. Refer to Business and Professions Code Section 24202;
- Child Protective Services: child abuse/neglect. Refer to Penal Code Section 11169;

- Adult Protective Services: elder abuse. Refer to Welfare and Institution Code Section 15610;
- Local Schools: employee sex offenses; and,
- State Board of Control: Victim Witness Program, Government Code 13968(d) - Victims of Crimes Act.

H. Filing:

Reports are logged into the Crime Analysis Report database. Reports are filed in chronological order by report number. Crime jackets are filed by last name. Crime jackets are prepared for arrested individuals. Included in the crime jacket are the following:

- Copy of original report
- Fingerprint card(s)
- Photograph(s) of arrested individual

The Detective Unit is given the crime jacket. Detectives prepare the case for court. When detectives no longer need the crime jacket, it is returned to the Records Office. The jacket is then filed.

Reports checked out by sworn personnel are logged in the Records Checkout Log. (See Appendix #E for Exemplar of Records Checkout form). When the report is returned, it is logged in and filed.

I. Purging:

Records are purged according to state and federal laws. (See Appendix #B for schedule of purge dates)

J. Security of Information:

The custodian of records is the Chief of Police. All files in the Records Office are locked during non-business hours or when no records personnel are available. Reports are copied for Detectives and Dispatch. If a report is needed by police officers, they can obtain a copy through the Dispatch Center. If the report is not in Dispatch, a memo requesting a report is placed in the Records Office mailbox. The Records Office personnel will then process the request and indicate to who and why the report was released.

The Police Records Office maintains the security of information according with the Public Records Act (Government Code Sections 6250-6265). The Public Records Act requires that specific information be released, unless the release would endanger the safety of a person or endanger the successful completion of an investigation. The categories of information that must be released are:

1. Calls for Service

- a. Time, substance and location of all complaints or requests for assistance.
- b. Time and nature of response.
- c. Date, time and location of occurrence.

- d. Date and time of report.
 - e. Victim's name age, and current address. Victims of specific abuse and sex crimes or their parents or guardians (if the victim is a minor) may request that this data be withheld.
 - f. Factual circumstances surrounding the crime or incident.
 - g. General description of any injuries, property, or weapons involved.
2. Arrestees
 - a. Full name, current address and occupation of every individual arrested by the agency.
 - b. Date of birth and physical description: sex, height, weight, color of eyes and hair.
 - c. Date and time of arrest.
 - d. Location of arrest.
 - e. Factual circumstances surrounding arrest.
 - f. Date and time of booking.
 - g. Amount of bail.
 - h. All charges, including warrants and parole or probation holds.
 - i. Location where arrestee is being held.
 - j. Time and manner of release.
3. Crime Reports – shall be released to the victim of an incident or an authorized representative thereof; an insurance carrier against which a claim has been or might be made; and, any person suffering bodily injury, property damage or loss as the result of the incident caused by arson, burglary, fire, explosion, larceny, robbery, vandalism, vehicle theft, or a crime as defined by Government Code Sections 6250-6265.
 - a. Names and addresses of victims, arrestees, and witnesses, EXCEPT confidential informants. Victims of specific abuse and sex crimes, or their parents or guardians (if the victim is a minor), may request that this data be withheld.
 - b. Description of any property involved.
 - c. Date, time and location of incident.
 - d. All diagrams.
 - e. Statements of involved parties.
 - f. Statements of all witnesses, EXCEPT confidential informants.
4. Law enforcement agencies are required to comply with a number of laws, which either permit or require them to refuse to disclose information in their files. Government Code Sections 6250-6265 requires that law enforcement agencies provide copies of some of the otherwise protected documents to the State Board of Control or its designated local witness centers upon request. Compliance with this section facilitates the operation of the Victims of Crime Act, which provides reimbursement to crime victims who incur expenses as a result of crimes which result in physical injury and sex crimes resulting in either physical or mental injury.

The records provided under subdivision (d) of Government Code Section 13955 are only to submit and determine a claim under the Victims of Crime Act. Any further dissemination of the information is a misdemeanor.

Documents to be released by law enforcement agencies include:

1. Complete copies of the original report;
2. Supplemental reports regarding the incident; and,
3. The petition filed in a juvenile court proceeding.

The law enforcement agency may withhold the names of witnesses and informants if the release of the names would be detrimental to the parties or to an investigation currently in progress.

EXEMPTIONS TO THE RELEASE OF INFORMATION

There are certain exemptions to the release of information which are specified in Government Code Section 6254 or interpreted by court decision.

1. Withholding disclosure of names, addresses and identifying information of:
 - a. Juvenile (under 18 years of age). *Westcott v. Yuba County* (104 CAL APP 3d 103 and *T.N.G. v. San Francisco Superior Court* [4c 3d 767]).
 - b. Upon request, adult victims of any crime defined by Penal Code Sections 220, 264, 288, 289, or 646.9, or their parents or legal guardians (if the victim is minor), may request that their names be withheld in addition to address and identifying data. Government Code Section 6254(f)(2). Pursuant to Penal Code Sections 293 and 293.5, the officer must document that confidentiality was offered to the victim, and the victim's response.
 - c. Confidential informants. Government Code Section 6254(f).
 - d. Individuals taken into custody under Welfare and Institutions Code Section 5150 (dangerous or gravely disabled persons). Government Code Section 6254(c).
2. No law enforcement officer or employee of a law enforcement agency shall disclose to any arrested person, or to any person who may be a defendant in a criminal action, the address or telephone number of any person who is a victim or witness in the alleged offense (PC 841.5). This section does not affect the release of information contained in an accident report.
 - a. The defendant may obtain necessary information through the discovery process.

- b. The attorney for a client may obtain the address and telephone number of victims and witnesses where the client may be a defendant in a criminal action in the alleged offense.
3. Criminal offender record information. *Younger v. Berkeley City Council* (1975).
4. Information that may endanger the safety of a witness or other person involved in the investigation. Government Code Section 6254(f).
5. Information that may jeopardize an investigation, related investigation, or law enforcement proceedings. Government Code Section 6254(f).
6. Any portion of a report which reflects the analysis, recommendations, or conclusion of the investigating officer. Government Code Section 6254(f).
7. Confidential information provided only by a confidential source. *South Coast Newspapers, Inc. v. City of Oceanside* (1984).
8. Information that may disclose investigative techniques and/or procedures. *South Coast Newspapers, Inc. v. City of Oceanside* (1984).
9. Information that may deprive a person of a fair trial. *South Coast Newspapers, Inc. v. City of Oceanside* (1984).
10. Preliminary drafts, notes, or memoranda which are not retained in the ordinary course of business. Government Code Section 6254(a).
11. Records pertaining to pending litigation to which the public agency is a party until litigation is adjudicated or otherwise settled. Government Code Section 6254(b).
12. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of privacy. Government Code Section 6254(c).

This section does not prevent a law enforcement agency from opening its records concerning the administration of the agency to public inspection unless disclosure is otherwise prohibited by law.

SELECTIVE DISCLOSURES PROHIBITED

Court decisions have held that the selective release and selective exemption of information beyond legal exemptions is prohibited. Once information is released to a member of the public, it becomes a public record and cannot be withheld from another member of the public or the news media. *Black Panther Party v. Kehoe* (1974).

K. The following records are subject to limited access by Records Personnel only:

1. Crime and Incident Reports
2. Juvenile Records
3. Accident Reports
4. Personnel Files (controlled specifically by the Chief of Police)
5. Information Received from CLETS

6. Criminal Offender Record Information (CORI)
7. Licensing Files
8. Registration Files
9. Citations
10. Warrants
11. DMV Information
12. Other Agency Documentation/Medical Reports

L. Documents to be released by the Custodian of Records:

1. Complete copies of the original report
2. Supplemental reports regarding the incident

M. Police Report Requests:

Requesting party must complete a **CSULA University Police Report Request** form. (See Appendix #C for copy of form). The form is presented to the Cashier's Office. At which time requesting party is required to pay a fee (Government Code Section 6254) in the amount of \$5.00 and insurance companies \$15.00. The receipt is returned along with the request form to the Custodian of Records for processing. Requests from insurance companies or authorized representative/agent of victim are attached to the report.

N. Accountability Tracking for Information Released:

Whenever a report is released, a notation on the report is recorded by the Custodian or staff of Records. (See Appendix #D for copy of Report Released To Form)

O. Juvenile Records:

Juvenile records are those records pertaining to an individual under the age of eighteen (18). Welfare and Institutions Code Section 827 gives the Juvenile Court control over the release of all juvenile information to be disclosed to third parties by any law enforcement official.

P. Accident Reports:

1. Under California Vehicle Code 20012, accident reports taken are released to the driver or drivers involved, any person injured in the accident, and the owners of the vehicles or property involved and their authorized representatives. The exception to release is all collision coding data determined by statistical means rather than through physical evidence. (Vehicle Code Section 20015.)
2. Requests for copies of accident reports are accompanied by the payment of a fee. (Vehicle Code Section 20012.)

Q. Personnel Files:

1. Personnel matters are not public information (Government Code Section 6254[c]). Penal Code Section 832.7, describes peace officer personnel records as confidential records, not to be disclosed in any criminal or civil proceeding except as required by Evidence Code Section 1043 (Pitchess Motion). Effective January 1, 1991, Penal Code Section 832.8, incorporates the home address as part of a peace officer's personnel record.
2. The information becomes a confidential record under P.C. 832.7. Effective January 1, 1991, Penal Code Section 13300(k) and Labor Code Section 432.7(b) permits law enforcement agencies to release arrest, detention and past diversion program information to a peace officer's employing agency.

R. CJIS/NCIC Audits:

The Department of Justice and NCIC have established policies to ensure the integrity of their databases. Records are audited at the agency. They are examined for supporting documentation, record keeping procedures, accuracy, completeness, timely and current information, and compliance with CJIS and NCIC standards.

S. Criminal Offender Record Information Release Log Audits:

The California Department of Justice is required by law to audit agencies which have access to criminal offender record information. Record checks shall be conducted on all personnel hired after July 1, 1975, who have access to the computer system, its terminals, or the stored criminal offender record information.

This audit is based on a printout of requests for state CORI made by an agency. The printout lists the date and time each record was requested, the terminal at the agency where the request was entered, the criminal history number and the "routing data" entered when CORI was requested. The DOJ Audits and Record Security Section, obtains copies of the records and visits the agency to determine the official purpose for which the records were requested. Examples of tracking information would be the case/report or incident number, the requesting officer's name, assignment, and purpose for the request. When the audit is completed, a letter is sent to the head of the agency describing the results of the audit, including a request for additional information or suggestions for improved control of CORI. If misuse of CORI is determined during the audit, the head of the agency is informed and asked to notify the Audits and Record Security Section of the disposition of the incident.

T. Destruction of Criminal Offender Record Information:

Furnishing state or local CORI to a person not authorized to receive it may be a felony or misdemeanor offense. The subject of a record, which was improperly released, may also sue the employee and agency that released the CORI. Law enforcement employees may be held personally liable for civil (monetary) penalties. CORI must be destroyed in a manner that ensures that the subject's identity can no longer be reasonably ascertained, such as shredding, tearing, burning, or recycling.

U. Warrants:

Penal Code Section 168 prohibits the release of information related to felony arrest warrant and search warrant under certain circumstances.

V. DMV Information:

Vehicle Code Section 1808.45 prohibits the willful, unauthorized disclosure of information from any Department of Motor Vehicle record. No release of DMV records shall be authorized except for law enforcement purposes. Running registration, driving records, etc., is prohibited except as it relates to law enforcement operations and investigations.

W. Statistics:

California Penal Code Section 13020 requires that law enforcement agencies shall keep such records as necessary to provide statistical information as required by the Attorney General.

Uniform Crime Reporting is used to capture monthly statistics submitted to the Department of Justice.

V. APPENDICES:

- A. ARMS Master Name Index screen
- B. Public Safety Records Retention Schedule
- C. CSULA University Police Report Request form
- D. Report Released To form
- E. Exemplars of:
 - Copies of Reports Given to Investigations form
 - Records Checkout Log form
 - Police Report Copy Register

ARMS - [Master Name]

File Edit ARMS Record System Commands Lists Tools Functions

Master Name

Next Previous Find Look Up Add Modify Save Cancel Print

Last Name	First Name	Mid Name	Suffix	Race	Sex	D
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
SSN	Driver's License	DL St	Student Id	State Id	FBI Id	F
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Officer Safety	Email					
<input type="text"/>	<input type="text"/>					

Address Phone Physical Description Alias Interview Vehicle Arrest/Referral Citations Warrant

Address Type	Street Number	Street	City	State

Right Click to Add, Edit and Delete Associated Records

The screenshot shows a software window titled "ARMS - [Master Name]". The window has a menu bar with "File", "Edit", "ARMS Record System", "Commands", "Lists", "Tools", and "Functions". Below the menu bar is a "Master Name" header. A toolbar contains icons for "Next", "Previous", "Search", "Add", "Modify", "Save", "Cancel", and "Print".

The main form contains the following fields:

Last Name	First Name	Mid Name	Suffix	Race	Sex	D
JONES	BARBARA	W				U
SSN	Driver's License	DL St	Student Id	State Id	FBI Id	F
Officer Safety	Email		CII #			

Below the form is a tabbed interface with tabs for "Address", "Phone", "Physical Description", "Alias", "Misc", "Interview", "Vehicle", "Arrest/Referral", "Citations", and "War". The "Address" tab is selected, showing a table with the following data:

Address Type	Street Number	Street	City	State
Home	2218	Termino Ave.	Long Beach	California

At the bottom of the window, there is a text instruction: "Right Click to Add, Edit and Delete Associated Records".

Public Safety Records Retention Schedule

RECORDS TO BE RETAINED	CAMPUS SUGGESTED RETENTION PERIOD	RETENTION PERIOD REFERENCE
Routine daily recordings of telephone and radio communications maintained by the Department	100 days	AB 1023; Government Code 26202.6, 34090.6
Parking Citations and Traffic Citations	1 year plus current year	Court has copy
Peace Officer personnel records (beyond normal campus personnel requirements)	3 years beyond termination date	
Criminal Histories and Fingerprint Cards	Attached to report	
Daily Activity and Dispatch Logs	2 years	
Field Interview Cards	2 years	
Incident Reports; found property; lost, missing property	2 years	
Miscellaneous Complaint Reports	2 years	
Stored/Impounded Vehicle Reports (not associated with arrests)	2 years	
Traffic Accident Reports (except fatalities)	2 years	California Highway Patrol retains 2 years
Felony Crime Reports	3 years	800 Penal Code – 3 years
(except murder; embezzlement of public monies; kidnapping for ransom, etc., falsification of public records)	Permanent	799 Penal Code
Misdemeanor Crime Reports	3 years	
Citizen Complaints	5 years	832.5(b) Penal Code
Misdemeanor Arrest Reports – no disposition, no conviction	5 years	DOJ recommends 5 years
State Property Injury Reports	5 years	
Felony Crime Report – acceptance of bribe by public official	6 years	800 Penal Code – 3 years
Felony Arrest Reports – no conviction, no disposition	7 years	DOJ recommends 7 years
Felony Arrests reduced to misdemeanors	7 years	DOJ recommends 7 years
Misdemeanor Arrests – conviction	7 years	DOJ recommends 7 years

RECORDS TO BE RETAINED	CAMPUS SUGGESTED RETENTION PERIOD	RETENTION PERIOD REFERENCE
Crime Statistics	Permanent	
Felony Arrests – conviction	Permanent	DOJ recommends permanent
Bail and Property Receipts	Not specified	
Arrests – later termed “detention only” under 849(b) PC	5 years	DOJ recommends 5 years
Arrests – under 647(f) PC, Drunk	2 years	DOJ recommends zero retention period, in practice 2 year retention
Arrests – for violation of local ordinances	2 years	DOJ recommends zero retention period, in practice 2 year retention

CSULA UNIVERSITY POLICE REPORT REQUEST

Please **PRINT** the following information:

Date: _____ Report Number: _____

Type of Report: Traffic Accident Other Police Report

Type of Information Requested: [] Copy of Report
 [] Verification of Report
 [] Photographs
 [] Other (Specify) _____

Name of Victim or Driver: _____
(Last Name, First Name, Middle)

Location of Incident: _____

Date and Time of Incident: _____

Name of Person Requesting Report: _____

Driver License Number: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone number: (_____) _____ Fax Number: (_____) _____

Reason for request: _____

In compliance with Section 6257 of the Government Code and Section 20012 of the California Vehicle Code, all report copy requests are subject to a fee as determined by the reporting agency to cover the direct cost of duplicating each report.

I certify, under penalty of perjury, that I am the victim or driver named in this report or that I am his/her authorized representative-agent or that I am an attorney representing the party of interest identified in the report recorded hereon.

Signature: _____ Date: _____

Approved by: _____ Date: _____ Other: _____

REPORT RELEASED TO FORM

Report DR#: _____

Report Released to:

1. Name: _____
Address: _____

Phone: _____
Date: _____ Released By: _____



2. Name: _____
Address: _____

Phone: _____
Date: _____ Released By: _____



3. Name: _____
Address: _____

Phone: _____
Date: _____ Released By: _____



4. Name: _____
Address: _____

Phone: _____
Date: _____ Released By: _____

Exemplars of Logs maintained by Records

COPIES OF REPORTS GIVEN TO INVESTIGATORS

REPORT #	DATE	NOTES	REPORT #	DATE	NOTES

RECORDS CHECKOUT LOG

Employee Checking Out Record	Date Taken	Subject's Name	Item Being Checked Out (i.e., report number, FI, Crime Jacket, etc.)	Date Returned	Employee's Signature when record is returned

POLICE REPORT COPY REGISTER

REPORT #	Date of Report	Copy Released to	Amount Paid	Date Released	Released By	Reason for Copy