33. RECORDS & REPORTS

(November 2007)

I. POLICY

Although it is the police mission is to serve the community, many police-related communications and records in hard copy and non-hard copy formats are confidential. For those documents or communications deemed to be open for public distribution, written directives and applicable Local, State and Federal laws will govern their dissemination or release.

II. CHECKLIST (N/A) III. DEFINITIONS

Field Observation: The recording of an officer-initiated investigation of a suspicious activity, person, or vehicle when circumstances would not otherwise require a written report

Police Department: The Prince George's County Police Department

Principals: Reporting persons, victims, witnesses, or other persons who have any direct involvement with a crime

Reporting Person: A person who reports an incident to police

Suspect: A person believed to have committed an offense, or believed to be involved in a suspicious activity but has not been arrested or charged

T/A: The abbreviation for "Trading As," it refers to a public or private establishment involved in an incident

Witness: A person having knowledge of circumstances of an incident

Victim: A person (including a police officer, an owner of a business or designee) who has suffered death, physical or mental anguish, or loss of property as the result of an actual or attempted offense committed by another person. A T/A shall not be recorded as a victim.

IV. FORMS

- Alcohol/Drug Influence Report (PGC Form #3381)
- Animal Bite Report (PGC Form #Z-6)
- © Community Activity Report (PGC Form #4269)
- Commander's Information Report (PGC Form #1545)
- © Continuation Report (PGC Form #3529A)
- Incident Report (PGC Form #3529)
- Inter-Office Memorandum (PGC Form #836)
- Motor Vehicle Accident Report (MSP #1)
- Report/Photograph Request Form (PGC Form #3864)
- Special Report (PGC Form #3520)Transmittal Sheet (PGC Form #3350)
- Warning/Field Observation/J2 (PGC Form #5088)
- MAARS Release Form (PGC Form #5191)

V. PROCEDURES

1. Records Section

(Records Section SOP & Records Management Handbook)

Secondary Dissemination Prohibited

Employees shall not engage in any secondary dissemination of police records except as specifically provided by written directives. Employees unsure of the dissemination policy shall contact the Records Section for guidance.

Records Section Services

Records Section components are staffed during normal business hours. Employees may access the Records Section continuously using the POLICE database computers.

The Public Information Counter at the Records Section provides a drop-off/pick-up point for police records.

Requests for fingerprinting services should be coordinated through the Director, Youth and Family Services.

Information involving any police-related records/information is available via the Records Section telephone message service.

Report/Photograph Requests

Citizen requesting copies of Incident Reports shall be referred to the Records Section.

2. Police Records Dissemination

(Reports Distribution Manual)

An employee or citizen requiring police records information not described in written directives shall contact the Records Director, Technical Services Division (TSD).

Statistics

Requests for crime statistics and analysis shall be referred as follows:

- © Citizen requests for neighborhood information (residential crime statistics) shall be referred to the appropriate District Station and COPS unit handling that area
- © Commercial requests for crime information from builders, management companies and attorneys shall be referred to the TSD
- Governmental and educational requests for crime information shall be referred to Information Resources Management

Motor Vehicle Accident Reports

(Records Section SOP, Part 2)

For 60 days following the date a motor vehicle accident report is filed with a law enforcement agency, only the following persons may access the report:

- The individuals involved in the motor vehicle accident
- The legal representative of an individual involved in the motor vehicle accident
- The insurance representative of an individual involved in the vehicle accident
- A State's Attorney or other prosecutor
- A representative of a victim services program
- An employee of a radio or television station licensed by the Federal Communications Commission
- An employee of a newspaper
- An employee of local, state, or federal government

Accident reports are available at the District Station reporting the accident for 90 days. The accident report is also available at the Records Section.

Traffic Records

(Records Section SOP, Part 9)

Traffic-related records are available to persons listed in the applicable traffic records or representatives authorized by record subjects.

Maryland Uniform Citation

Employees may obtain Maryland Uniform Traffic citation information from the Records Section. Employees shall direct non-Department requests to the District Court of Maryland.

Parking Violation Notices

Requests relating to parking violations shall be referred to the Prince George's County Parking Authority.

Incident Records

(Records Section SOP, Part 7)

Police incident-related records are available to:

- Aggrieved persons
- Business organizations
- Criminal justice agencies
- Parents or legal guardians
- Victims (excluding juveniles)
- Victims' authorized representatives

3. <u>Criminal History Record</u> <u>Information (CHRI)</u>

(Maryland Code, Section 10-219)

(Title 28, Code of Federal Regulations, Part 20)

Dissemination Criteria

CHRI is disseminated to criminal justice agencies for:

- Criminal justice agency employment investigations

Law enforcement-related requests for CHRI may be honored if the requester is identified by name, agency and date of birth. The following may be disseminated to authorized recipients for law enforcement purposes only:

- Arrest Reports with or without disposition information
- Court disposition information
- © Criminal photographs (mug shots)
- Fingerprints
- Latent fingerprints

Criminal Justice Agencies Authorized to Receive CHRI

The following agencies may receive CHRI for law enforcement activities:

- © Criminal justice agencies for justice activities and employment
- Federal criminal justice agencies for law enforcement activities
- Local police Departments for law enforcement activities
- Other criminal justice agencies outside Maryland for law enforcement activities
- State criminal justice agencies for law enforcement activities

Non-Criminal Justice Agencies Authorized to Receive CHRI

The following may receive CHRI from the Maryland Department of Public Safety and Correctional Services:

- Landlords
- © Criminal offenders and authorized attorneys
- Membership associations
- Non-governmental employers
- Other non-criminal justice agencies/persons

Private employment agencies

Public housing authorities

Expungements

Employees shall refer expungement inquiries to the Director, Records Section. The Director shall notify CHRI recipients of court-ordered expungement. Expunged records may be accessed by court order. Recipients shall maintain Expungement Notices with the files subject to expungement.

4. Juvenile Records

(Records Section SOP, Part 8)

Access Standards

Unless charged as an adult, juvenile criminal records shall be maintained in a separate location from adult criminal records. Juvenile-related records/information may be enforcement accessible to law and prosecution Criminal agencies for: (9) investigations

- Criminal proceedings
- Juvenile cases

5. Records Dispositions

Refer to Records Management Handbook, Part 3.

6. <u>Penalties & Sanctions</u> for Unauthorized Disclosure

Incident Records

Any employee intentionally withholding information subject to public disclosure shall be subject to:

- § \$1,000 fine
- Attorney fees
- Contempt of court sanctions
- Disciplinary actions
- Litigation costs
- Punitive damages

Criminal Records

Any employee disseminating criminal history record information to unauthorized recipients is subject to:

- A maximum federal fine of \$10,000 for each infraction
- State-imposed additional sanctions

Expunged Records

Unauthorized disclosure of expunged records can result in the following:

- § \$1,000 fine
- One-year imprisonment
- Termination of employment
- © Civil suits

Public/Police Records

Unless public/police records destruction is authorized by State Archivist-Approved Records Retention Schedule, the agency and/or person is subject to criminal penalties:

- \$1,000 fine
- Three-year imprisonment

7. Reporting Procedures

Table of Incidents & Forms

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For report classifications and required report forms for common calls for service see the Report Writing Manual. The reporting person will be advised of the Complaint Control Number (CCN).

Initial Report Forms

Incidents for which an initial report is prepared shall be documented on one of the following forms:

- Alcohol/Drug Influence
- Animal Bite Report
- Incident Report
- Motor Vehicle Accident ReportSpecial Report
- Warning/Field Observation/J2

Supporting forms will be used when appropriate. An initial report may be used as a supporting form, such as the Alcohol/Drug Influence Report, may be used to support a Motor Vehicle Accident Report.

Continuation Reports

A Continuation Report will be used to document additional information.

Preparation & Review of Reports

Officers shall complete detailed reports on the prescribed forms for incidents, unless otherwise stipulated by a written directive. All reports shall be written in conformance with General Orders and the Report Writing Manual. All reports and charging documents shall contain:

 A CCN; original CCNs are obtained form the CAD or POLICE database computers

- Date and time of the offense and initial reporting; 24 hour (military) time will be used on all reports and all intraDepartmental communications
- © Citizen and business names shall be spelled out; last names are listed first, followed by the first and middle names; all names and addresses shall be printed
- Nature of the incident
- Nature, date and time of any action taken by the officer

Reports will be completed in black ink or typed. All applicable blocks on report forms, citations and court documents will be completed neatly and legibly.

Authorized computer-generated Incident, Special and Continuation Reports may be used in lieu of the pre-printed report forms. All reports will be submitted prior to end of watch. A Continuation Report will follow incomplete reports as soon as necessary information becomes available to the officer.

Supervisors will review and approve (by signature) all paperwork prepared by subordinates, including citations and other forms (except information submitted under a promise of confidentiality). They shall:

 Place approved reports in a designated location within the police facility to be forwarded to the Records Section

Supervisors may approve their own reports.

Transmitting Reports to Records Section

At least daily, an employee will assemble all approved reports for the division. The collection and transmission of reports may

be completed for each watch if report volume so warrants. A Transmittal Sheet is used to forward all reports to the Records Section. Reports shall be organized and listed on the Transmittal Sheet in CCN order. The employee completing the Transmittal Sheet shall sign their name in the PREPARED BY block, and place their I.D. number and the date on the sheet.

The pink copy shall be removed for filing at the division level The white and yellow copies will be attached to the reports and sent to the Records Section. Approved reports are transmitted to the Records Section via courier.

The Records Section shall return a copy to the division. It shall contain notes of discrepancies identified at the Records Section. The Commander/Director shall ensure that any discrepancies are resolved. The pink and yellow copies shall be maintained for six months, after which they may be destroyed.

Circumstances When No Report is Required

Dispatched complaints that are unfounded or are handled by another agency will not require a report.

Dispatched complaints canceled by the dispatcher, or those complaints not verified on the scene, unable to locate, or gone on arrival, will not require a report.

Assignments for which a police response is necessary, but for which a report would simply duplicate statistical data already on the dispatch log, may be cleared without a report.

 Examples include loud radios or televisions, civil matters, or routine disorderly conduct incidents

The investigating officer may change the classification if the officer believes that, as a result of the on-scene investigation, an Incident Report would be appropriate. An initial dispatch to miscellaneous incidents without known complainants that are subsequently identified will require a report if the circumstances would normally dictate such action.

Reporting of Multiple Incidents or Victims

Generally, if it can be established that multiple incidents occurred at the same time and location and were committed by the same person, the incident will be recorded on one report, using one CCN. Additional victims and their respective losses will be listed in the narrative section of the report. Examples of this include situations when numerous autos are vandalized at once in a parking lot. Exceptions to this rule are as follows:

- Apartment Buildings Leased, rented or owned apartments, occupied by different owners/tenants will require separate reports and CCN's
- Mini-Storage Area Mini- Storage areas leased or owned by individuals will require separate reports and CCN's
- Office Sites Commercial office sites occupied by different renters or owners require separate reports and CCN's

Multiple stolen, attempted stolen or recovered autos require only one CCN. However, to facilitate accurate reporting, each vehicle will be listed on a separate

form, using the same CCN, with only the Top Section, vehicle section and reporting officer section completed.

Recording Multiple Victims/Suspects on Arrest Records

When persons have been arrested for multiple incidents, the following guidelines will be followed when completing an arrest report:

Multiple Victims/One Offender:

Complete one Arrest Report with additional victims listed in the narrative

Multiple Offenders/One Victim:

Complete a separate Arrest Report for each defendant, using the same CCN for each report. Separate arrest numbers and I.D. numbers are needed for each defendant.

Classifying Multiple Offenses

When a combination of offenses occurs in the same incident, the most serious will be listed first. More than one offense may be listed on the report, such as, Homicide/Robbery, Breaking & Entering/Auto Theft.

The classification of Part I Offenses in descending order of severity will be as follows:

- Homicide
- Rape
- Robbery
- Assault
- Breaking and Entering
- Auto Theft
- Theft
- Arson

Classification of Theft Offenses

- Purse Snatching The theft of a billfold, purse or similar item from a person shall be classified as a Theft (PBS) if the victim offers no resistance. If a victim offers resistance and physical force is used or threatened, the incident is classified as a Robbery.
- Theft From Auto Personal articles stolen from a vehicle shall be classified as Theft (From Auto – Non-Accessory). A vehicle's parts taken from anywhere

- on or in the vehicle shall be classified at Theft (From Auto Accessory).
- License Plate Thefts If one license plate is missing from a vehicle, the reporting officer shall examine the circumstances and classify the incident as either Lost Property or Theft (From Auto Accessory). Two missing plates will be classified as Theft (From Auto Accessory). The reporting officer will advise the reporting person that it is necessary for the owner to respond to the or appropriate vehicle licensing authority and obtain replacement plates. This notification shall be noted in the narrative of the Incident Report.
- Storage Bin Theft When property is taken from a storage room where multiple persons have access and no force is used to gain entry, the incident shall be classified as a Theft. If force is used to gain entry into a common area or an individual storage bin within the common area, the incident shall be classified as a Breaking and Entering.

Reporting Incidents Occurring In Certain Municipalities & Jurisdictions

Officers handling incidents that occur within the jurisdictions of the following agencies shall place the agency name in the COPY TO block of reports written regarding the incident:

- Berwyn Heights Police Department
- © Capitol Heights Police Department
- Cottage City Police Department
- District Heights Police Department
- Edmonston Police Department
- Fairmont Heights Police Department

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- Fire Prevention Division, P.G. County Fire Department
- Forest Heights Police Department
- Glenarden Police Department
- Metro Transit Police Department
- Morningside Police Department
- Mt. Rainier Police Department Prince George's Community College Security
- University Park Police Department
- Upper Marlboro Police Department

This applies only to County police forms.

Crimes Occurring In Neighboring Jurisdictions

All misdemeanors and incidents will be referred to the appropriate jurisdiction.

If a felony occurs, the officer will request that PSC make notification to the appropriate jurisdiction. The officer shall complete and submit an Incident Report after notification has been made.

The PSC will relay whatever information is available to the appropriate jurisdiction.

Officers shall explain that the report is for information purposes only and does not relieve the complainant from reporting the crime to the proper jurisdiction.

8. Telephone Reporting Unit

Hours of Operation

Based at PSC, the Telephone Reporting Unit (TRU) typically operates from 0700 until 2300 hours, weekdays.

Criteria for Referral of Calls to TRU

The criteria for a call to be referred to TRU is:

- The suspect is unknown or has left the scene
- 9 The incident occurred at an earlier time
- No tangible evidence is on the scene ® Damage has not been incurred to County, State or Federal property

Reports That TRU Can Write

If the above criteria are met, TRU can write reports for the following incidents:

- Theft except PBS or shoplifting
- Auto Theft
- Vandalism except on school, church or temple property
- Indecent, Threatening or Annoying Phone Calls – provided there is no danger to the complainant
- Lost Property
- Animal Bite except severe or inprogress cases, or when the animal remains at large
- Supplemental Information

To preclude the completion of Continuation Reports at TRU when no original report has been submitted, members assigned to TRU will submit an original report rather than a Continuation Report.

A complainant will not be referred to TRU, when an officer has responded to the scene of an incident.

When calls for service are received by telephone at a District Station, the person receiving the call shall relay the information via the CAD.

9. Department Correspondence

Mechanics of Correspondence

Employees shall complete Department correspondence consistent with the provisions described herein.

Stationary Format

Letterhead

Prince George's County Government stationary shall be used for:

- Letters to citizens, officials outside County Government and County Council members
- Formal letters from the Chief of Police or Commander/Director to employees, such as, commendations, retirements
- Memoranda to County offices

Inter-Office Memoranda/Routing Slips

Inter-Office Memorandum or computer generated facsimiles shall be used for the following:

- Intra-Department correspondence
- Correspondence forwarded through the chain of command

If the memorandum is to be routed through two or more addresses, a routing form must accompany it.

Forwarding

Employees shall transmit Department correspondence to recipients through the chain of command. Personnel along those chains shall acknowledge review by signing or initialing the correspondence or attached routing slips.

The chain of command may be bypassed for the following:

- Writer's Commander/Director authorizes direct transmission to an addressee
- Materials distributed for staff review by the Policy Research, Management and Accreditation Division
- Confidential or sensitive information concerning narcotic or vice law violations
- Allegations of discrimination or harassment
- Issues concerning infectious disease exposure
- Treatment by Psychological Services

Where circumstances dictate direct transmission of correspondence, the writer shall submit a copy of the correspondence through the chain of command to the writer's Commander/Director.

This section does not restrict employees from transmitting information or suggestions intra-Departmentally that are not subject to strict accountability.

Business Letters

Date Line - Align with the complimentary close, two to four spaces below the letterhead.

- 9
- Inside Address Place at left margin of the letter, not less than two spaces, nor more than twelve, below the date line. The exact position of the first line of the address depends on the length of the letter. The inside address shall correspond with the official company, name and address. Do not abbreviate names of cities, states, territories or possessions.
- Salutation Type two spaces below the inside address. If an Attention Line is used, type the salutation two spaces below the Attention Line. When a letter is not addressed to a particular person or firm, use "To Whom It May Concern."
- © Complimentary Close Position slightly to the right of center of page, and align with the date. The close shall not extend beyond the right margin. In letters of more than one page, a

minimum of four lines shall be on the page with the close.

Persons Holding Honorary or Official Positions or Titles

Use of formal or informal salutation and closure depends upon how well the writer knows the addressee and whether the subject matter is personal or official business.

When a person is acting as an official, the word Acting precedes the title in the address but not in the salutation or spoken address.

A person who holds a position entitling them to be addressed as The Honorable is addressed that way after retirement. The title itself, such as Senator or Governor, is not used in the address or salutation. Exception: a person with the title of "Judge" retains their title. Retired officers of the Armed Forces retain their titles, but their status is indicated with "Retired" behind the rank and name, such as, "Lieutenant General John D. Blank, U.S.A., Retired."

Often the abbreviation of a scholastic degree follows the name in the address. If you do not know whether the addressee has the degree, do not use the initials.

A person shall not be addressed by a scholastic title unless the person possesses the degree the title indicates.

If a business title is short, place it on the first line. If it is long, place it on the second line.

Examples:

The Honorable (Current Senator's Name) United States Senate Washington, D.C. 20510 Dear Senator ____: The Honorable (Current Representative's House of Representatives Washington, D.C. 20515 Dear Congressman/Congresswomen: The Honorable (Current Council member's Name) Member, County Council Prince George's County **Administration Building** Upper Marlboro, Maryland 20772 Dear Council Member _____: (their preference)

Miscellaneous addresses:

Dr. John Smith or John Smith, M.D.

Mailing Instructions

Whenever sending correspondence outside the Department, the sender shall ensure that the correspondent's last name, I.D. number and assignment appear on the envelope in the upper left area or beneath the Department address on the envelope.

Outgoing U.S. Mail - All outgoing correspondence that requires postage shall be forwarded to the Mail Room at the CAB, addressed, sealed and accompanied by a bar coded agency

account form. The account form may be attached to a single item or bundle of items.

Department/Government Courier
 Mail - All Department/government
 correspondence shall be dispatched
 through the courier system. Confidential
 or limited access correspondence may be
 forwarded in sealed, plain business
 envelopes. All other materials or
 correspondence shall be forwarded in
 reusable mailing envelopes.

10. <u>Correspondence Prepared for</u> the Executive Branch

This section contains information for submitting documents and other pertinent material requiring review and approval by the County Executive, or the Chief Administrative Officer (CAO).

Letters/Memoranda

Letters from Departments requiring County Executive or CAO review and signature shall be prepared in the following manner:

Original Document

- Leave undated for County Executive/CAO signature
- The word "THE" shall always precede the word "HONORABLE," including the cc/bcc list and envelopes
- When possible, letters and memorandums are to be one page
- Always use a title in the signature block
- Do not abbreviate the name of the signer or use only an initial in place of the first

name. The County Executive's signature block shall appear as follows:

Sincerely, (4 spaces)
(Name of County Executive) County Executive

Exception: When typing a letter on the County Executive's personal (blue) stationary type their name only at the closing. Do not type "County Executive" under the name.

The CAO's signature block shall appear as follows:

Sincerely, (4 spaces)
(Name of Chief Administrative Officer)
Chief Administrative Officer

The format to be followed when preparing letters and memoranda is defined in the pages following these procedures.

Style Guidelines

- Myphens should be omitted unless absolutely necessary
- Avoid contractions
- Do not use one-sentence paragraphs
- Do not start paragraphs with the pronoun
 "I"
- Do not start sentences with HOWEVER
- Capitalize the seasons of the year
- Do not use the following phrases:
- Let me take this opportunity...

- Let me say...
- Due to...

Copies

- Include one photocopy with the original
- List copies (cc) on the original. Reflect name, title and affiliation, such as: John Blank, General Manager, WSSC
- List blind copies (bcc) on the copy only
- Provide sufficient copies of all attachments indicated in the correspondence, including those to be cc'd and /or bcc'd, as well as one attachment for the master file copy
- Reference initials are to appear on the copy. The initials are to include the signer, drafter, and typist, such as, XXX:YYY:abc
- Response to requests from the County
 Executive's office should reflect the
 County Executive's mail log number on the copy not on original

Envelopes

Prepare envelopes for all correspondence to be mailed, including cc/bcc copies. Labels may be used. Follow the United States Postal Service procedures for preparing envelopes.

All addresses should be typed in capital letters and the state should be abbreviated.

Submission Requirements

Documents with a specific deadline shall be submitted to the County Executive's office 15 working days prior to the transmittal date.

Cover Memorandum

Executive letters or other material requiring a substantial amount of background information shall be accompanied by a cover memorandum, which includes:

- Subject
- © Contact person (in the event some clarification is needed)
- Date document is due
- Recommendation (What action do you favor on the material submitted to the County Executive/CAO?).

The word "RECOMMENDATION" should appear at the bottom of the memorandum as a heading to your recommendation. If multiple recommendations are involved, they should be numbered on separate lines and space left for inscribing decisions on each.

Police Memoranda Issued by a Department or Commission

Before issuing a memorandum to all County Departments/Commissions indicating a change in policy or procedure, the head of the issuing agency must submit a draft for the approval of the appropriate Deputy CAO. The issuing Department/Commission shall contact the Deputy CAO for verbal approval if no comments have been received within seven working days.

11. <u>Letter of</u> <u>Commendation Procedures</u>

Commendations Initiated by Citizens

A letter of acknowledgment shall be sent to the correspondent from the employee who received the letter. If the letter is not directed to an individual employee, the Commander/Director shall acknowledge the correspondence.

Copies of the letter of commendation and letter of acknowledgment shall be distributed as follows:

- The employee commended, through their Commander/Director
- The employee's agency personnel file
- The Director, Strategic Management Bureau

The Director, Strategic Management Bureau, shall reproduce, and maintain for 30 days, duplicate copies of all incoming commendation correspondence for review by the Chief of Police and/or the Awards Committee.

Commanders/Directors receiving notification or correspondence of extremely unusual or heroic police performance may, in addition to the steps above, send a copy of the correspondence directly to the Chief of Police.

Intra-Departmental Commendations

Any employee wishing to commend another employee shall document the reasons for the

commendation and refer the correspondence to the respective Commander/Director.

Commanders/Directors receiving this correspondence shall acknowledge and process it in a fashion consistent with the section *Commendations Initiated by Citizens* above.

Commendation Directed to a Citizen

Any employee who wishes to commend a citizen or an officer of another police agency shall direct a letter to the Chief of Police citing the details and reason for the commendation.

The Chief of Police may initiate a letter to the citizen or police department involved.

A copy of the recognition letter shall be sent to the originating correspondent.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

Commission on Accreditation for Law Enforcement Agencies, Standards
26.1.2, 55.2.3, 81.2.9, 82.1.1, 82.1.9, 82.2.1, 82.2.2, 82.2.4, 82.2.5

Governing Legislation:

- Maryland Code, Criminal Procedure, Section 10-219
- Maryland Code, State Government, Governmental Procedures, Title 10,

Subtitle 6 et. seq. (9) Maryland House Bill 1409

Title 28, Code of Federal Regulations, Part 20