THE POLICIES AND PROCEDURES INCLUDED IN THIS MANUAL ARE NOT A CONTRACT OF EMPLOYMENT AND SHOULD NOT BE RELIED ON AS SUCH. THESE POLICIES AND PROCEDURES ARE SUBJECT TO AND MAY BE CHANGED AT ANY TIME BY THE DEPARTMENT OF PUBLIC SAFETY, MEDICAL UNIVERSITY OF SOUTH CAROLINA.

A. Purpose

To establish procedures for the effective, and efficient review, recording, maintenance, control and retrieval of records which are the responsibility of the Department of Public Safety.

B. Policy

It is the policy of the Department of Public Safety to operate a central records system that complies with all federal, state and university regulations and which allows for the productive use of the information contained therein by all of its law enforcement elements.

C. Procedure

1. Records Section

   The Administrative Coordinator II (AC) is charged with the responsibility for the supervision and administration of the Records Section of the Department.

2. Records Function

   a. Report Review is delegated to the immediate supervisor of the reporting officer. This review is made to insure completeness and accuracy of all reports and that all required reports are submitted. The Records Section will conduct a secondary review of reports to insure the reports are submitted to
the proper units and/or individuals and that the reports comply with all applicable standards.

b. Report Control (availability and confidentiality of all reports) will be the responsibility of the Records Section.

c. Records maintenance (maintenance and distribution of reports) will be the responsibility of the Records Section.

d. Records Retrieval (filing and location of reports) will be the responsibility of the Records Section and will be accomplished by name and/or case number.

3. National Incident Based Reporting System (NIBRS)

The Department participates in the NIBRS in conjunction with the South Carolina Law Enforcement Division (SLED). The Records Section will adhere to all policies and procedures promulgated by SLED for the collection and submission of this data. The Department utilizes an automated NIBRS to collect and submit this data. (CALEA 82.1.4)

4. Documentation of Law Enforcement Activities

It is the policy of the Department that official records be prepared and maintained to document all law enforcement activity, whether originated by a citizen, another agency or an employee. (CALEA 82.2.2)

a. Documentation will be prepared for the following categories of incidents, if they are alleged to have occurred within the Department's service area:

1) Citizen reports of crime; (CALEA 82.2.2.a)
2) Citizen complaints; (CALEA 82.2.2.b)
3) Citizen requests for service when an employee is dispatched; (CALEA 82.2.2.c)
4) An officer is assigned to investigate;
5) An employee is assigned to take action at a later time;
6) criminal and non-criminal incidents initiated by or coming to the attention of Department personnel; (CALEA 82.2.2.d)
7) Automobile accidents investigated by a Department employee; and

8) Incidents involving an arrest or the issuance of a summons in lieu of arrest. (CALEA 82.2.2.e)

b. This documentation of law enforcement activity may be in the form of a completed report, citation, field interview card, incident report, accident report, Supervisor's daily log sheets, radio log, and/or booking report.

5. Field Reporting System

a. Reports

Employees of the department will use the appropriate report form(s) applicable to the nature of the incident being reported. The report will be well written and complete upon submission. Forms generally used in field reporting include: incident reports, supplemental reports, accident reports, field interview cards (FIC's), booking reports, uniform traffic tickets, statement forms, chain of custody forms, and Victims Information Sheets. (CALEA 82.2.1.b)

b. Procedures to Complete Forms (CALEA 82.2.1.a)

1) Incident Report - All reports of a criminal offense (as defined by the Uniform Crime Reporting handbook) received by the department which occur within the service area will be recorded on the incident report form and will be issued an Incident Report number. Incident reports will be prepared using Visions RMS. A hand written version may be used in the event the Vision RMS system is inoperable.

   a) Incident reports will be completed on criminal acts which are brought to the attention of an officer and occur within the service area, even though the complainant does not wish to file charges or have a report made.

   b) Incident reports will be used to record all arrests.

   c) Traffic accidents involving a fatality or serious bodily injury will be referred to the Charleston City Police and will be recorded on an incident report titled “Assist Other Agency”.

   d) Incident reports will also be used to record certain types of incidents of a non-criminal nature and will record all applicable information. All persons involved should be
listed on the form. Non-criminal incidents requiring an incident report are: deaths (natural and suicide), suicide attempts, missing persons, prowlers, fires not classified as arson, assistance rendered to another agency, medical assistance rendered to an individual if the individual was transported to a medical facility, missing inventory, recovered stolen property (other agency).

c. Information Report - All reports of suspicious activity and reports alleging criminal activity by anonymous or confidential informants will be recorded on an incident report form. The specific activity type will be placed in the "Incident Type" block and the block will contain the word "INFORMATION". NOTE: If, after an investigation, the information is confirmed as having occurred, an incident report will be submitted.

d. Supplemental Report - A supplemental report will be submitted by an officer when it is necessary to explain, expand or continue with information from the incident report; to record important confidential information not contained in the incident report such as investigative leads and unsubstantiated information which could be of investigative use such as intuitions, hunches, possibilities, etc.; and to record expanded narratives.

1) Supplemental reports will be prepared using Visions RMS. A handwritten version may be used in the event the Vision RMS system is inoperable.

2) The report will be attached to the original report, if completed at the same time, and filed with it.

e. Booking Report - A booking report is to be filled out for every arrest, including physical arrests for traffic offenses and non-custodial arrests in which a summons is issued and when a juvenile is CWR. The report must be filled out as completely as possible at the time of arrest.

1) Arrest and Booking reports will be prepared using Visions RMS. A handwritten version may be used in the event the Vision RMS system is inoperable.

f. Miscellaneous Reports - Other miscellaneous reports are to be used by officers to report certain specialized situations.

1) Field Interview Card - required of an officer initiating an officer-citizen contact of an investigatory type (Terry stop); any other
officer-citizen contact the officer deems is necessary; and after every arrest.

2) Chain of Custody Forms - required of employees to report property taken into, or released from, custody in accordance with department policy.

3) Accident Report (TR 310) - required of the investigating officer conducting an accident investigation in accordance with Department of Public Safety procedures.
   a) A hand written version will be used.

4) Statement Forms - required of the officer taking the statement. To be witnessed by two parties, signed/dated by the statement provider, and a copy given to the statement provider.

6. Required Information

At a minimum, all field reports will contain the date and time of report, names of all principals (if known), nature of the incident, and reporting individual’s name. (CALEA 82.2.1.c) Specific instruction and procedures for completion of incident and supplemental reports is available in the Field Reporting Manual in the shift briefing room. Instructions for accident reports are in the Uniform Traffic Accident Report Instruction Manual provided in each patrol vehicle. (CALEA 82.2.1.d)

7. Submitting and Processing Reports

a. All reports will be completed as quickly as possible and then submitted to the Records Section.

b. All reports will be reviewed by a supervisor prior to submission and will be signed / initialed by same if a space is so provided. (CALEA 82.2.1.e)

c. The Records Section personnel will review each report, process the report into the records system and forward the appropriate information and reports to SLED, Department of Public Safety, and/or applicable department units. (CALEA 82.2.1.e)

8. Case Numbers

a. The case numbering system used by the Communications Center and overseen by the Records Section requires the assignment of a unique case number to every case. Case numbers are assigned consecutively within
each calendar year in a numerical sequence, i.e., 980001, 980002, etc.

b. Under this procedure, no number will be duplicated or omitted. The Records Section shall review all reports to ensure the numbering system is followed. (CALEA 82.2.3)

9. Supervisory Review of Reports
(CALEA 82.2.1.e)

a. Every report submitted by an employee will be reviewed for completeness and accuracy by a supervisor, as specified in this procedure. The Supervisor will check the report for neatness, legibility, completeness and accuracy and will return unsatisfactory reports to the writer for necessary corrections.

b. All reports must be turned in at the end of the officer's shift. If the report is not completed, the Supervisor must be contacted for approval to submit the report the next day. If approved, the officer must turn in a copy of the incomplete report with a notation to the Records Section advising when the report will be completed. The officer's Supervisor is responsible for ensuring that officers submit reports in a timely fashion.

10. Distribution of Reports
(CALEA 82.2.4)

a. All reports will be checked by the supervisor for accuracy, affix call sign, and forwarded to the Records Section for processing. Processing includes: ensuring that all reports are numbered as outlined earlier in this procedure; entering all criminal reports into the Visions Report Management System (RMS), which includes a master name index file; routing copies of reports to internal units, i.e., Investigations for follow-up, Victim-Witness Coordinator, Crime Analyst, Director's office, roll-call room, Communications Center, etc.; and sending copies of reports to outside agencies or departments, as requested.

b. The Records Section personnel are authorized to provide copies of incident or accident reports to the principals identified in the report or their representatives. Signatures of persons obtaining copies of reports will be obtained on the "Dissemination Log for Incident/Accident Reports". Reports which are solely the result of, or the fruits of investigative efforts, will not be released to anyone other than those in the criminal justice system. Questions concerning the dissemination of reports will be resolved by Records Section personnel in accordance with federal and state regulations. Press copies may be released, upon approval from the Director, or the Patrol Commander. Press copies of incident or accident
reports will be sanitized and marked “PRESS’ on the top of each page.

11. Status of Reports
   (CALEA 82.1.5)
   a. The original copy of all incident reports and their supplements will be
      retained in the Records Section files. The Records Section personnel will
      ensure that the correct case number has been assigned. Copies of cases
      may be forwarded to other units for review and follow-up, as needed.
      Copies of all cases will be marked “Copy” at the top of each page.
   b. Upon the review of an incident report, the Patrol Commander may assign
      the case for further investigation. The name of the officer assigned for
      follow-up will be entered into a computerized log maintained to track
      assigned cases. The Operations Support Commander will make officer
      assignments and maintain the computerized log.
   c. Cases entered into the case assignment log will have their status reviewed
      at least every 10 days by the Operations Support Commander.

12. Audit and Evaluation
   a. The SLED Criminal Justice Information and Communications Systems
      audit team will conduct an audit of the entire records system every three
      years.
   b. Employees are encouraged to make constructive suggestions to improve the
      reporting system upon observation of areas needing improvement.

13. Records Retention Schedule

   In accordance with the SC Code of Laws (30-1-90-b) and the Archives Division of
   the State of South Carolina, a schedule of retention and destruction for records has
   been established. The schedule will be maintained in the Records Section. No
   records are to be retained, transferred, destroyed, or otherwise disposed of in
   violation of this schedule. (CALEA 82.1.3)

D. Records Operations

1. Accessibility of Records
   a. The AC II will control the accessibility of all reports, records, and other
      information stored in the Records Section. Sensitive information shall be
placed in a file cabinet or in the Records computer system protected by a password. The file cabinets containing such records will be kept in a locked office whenever Records Section personnel are not present. (CALEA 82.1.1.a., b.)

b. Information contained in written reports and stored in the Records Section will be released outside the Division in accordance with SC Code of Law 23-3-110 through 23-3-140. Criminal History Record Information will be released under the guidelines established in the US Department of Justice regulations (28 Code of Federal Regulations, part 20) with regards to dissemination, completeness, accuracy, audits, security requirements, access and review (see Procedure #43). (CALEA 82.1.1.c)

c. In order to comply with relative Accreditation Standards as well as ensure strict control of agency documents and records, access to the Records’ Office is strictly limited to: Command Personnel and others on a limited basis, as necessary and with approval of a Command Authority or Records’ Office personnel. (CALEA 82.1.1.a., b.)

d. The only personnel authorized to release Department records are the Director or the Patrol Commander. The Records Clerk or their designee may release incidents reports to authorized entities. (CALEA 82.1.1.c)

e. Should any operational unit/personnel require access to the Records Section when it is closed, the AC II, Administrative Manager, or the Operations Support Commander, will be contacted to provide such access. If it is after hours, or on the weekends, the key that is located in the Dispatch office will be signed out with two signatures (Supervisor plus one other officer). A memo will be written stating the purpose of entering the records section. (CALEA 82.1.1.b)

2. Records Repository

The Records Section maintains a repository of records which includes incident reports, traffic accident reports and agency copy of Uniform Traffic Tickets. Original FI Cards are maintained in the communication center, by the Telecommunicator III in accordance with policies.

3. Alphabetical Master Name Index

The Records Section maintains an alphabetical master name index of persons identified in accident and incident reports in the Visions RMS. This master name index includes victims, complainants, suspects, arrestee, and owner/operators of
vehicles involved in traffic accidents. (CALEA 82.3.1)

4. Index of Incidents by Location and Type
   a. Visions RMS maintains an index file including incidents by type, incidents by location and stolen/recovered property. (CALEA 82.3.2.a and .b)
   b. The evidence custodian maintains a separate index file of evidentiary and found property of value. (CALEA 82.3.2.c)

5. Criminal History Files and Arrest Identification Numbers
   a. An arrest record is made of all persons arrested which is maintained in the Records Section.
   b. The record will consist of the copy of the incident report, arrest and booking report, and most recent photo (if available), a signed copy of the warrant and affidavit or UTC, fingerprint card, original NCIC criminal history, all contained in a manila folder or envelope. The NCIC criminal history can be obtained through the Communication Center. The record will be marked with the individual's arrest identification number/personal identification number (PIN) and cross-referenced to other Division files for the same individual.
   c. The arrest identification number/PIN will be a unique number assigned to each person arrested by the department and will be used on all subsequent arrests. The Visions Records Management System will assign the numbers and insure that no such numbers are duplicated or skipped. (CALEA 82.3.6)

6. Recording Arrest Information
   A booking report is to be filled out for every adult arrest, custodial and Counsel, Warn & Release. A Charleston County Detention officer will do all prisoner booking. A verbal request for fingerprints and photos will be given to Charleston County Detention Center. These reports will be filled out as completely as possible and with attention to detail. Every effort will be made to obtain current information so Records Section personnel may update previously reported data. (CALEA 1.2.5.a.,b., and .c)

7. Records Maintained Outside of the Records Section
   a. Most reports generated by the department are maintained in the Records
Section. Some records, usually of either a confidential nature or containing such information which renders them more appropriately stored in a specific unit or section, are maintained outside the Records Section.

b. Other reports and records, both official and unofficial, which are maintained by the various components within the Department include, but are not limited to the following:

1) Director's Office - personal correspondence files.

2) Patrol Commander’s Office - personal correspondence files, citizen’s complaints

3) Administrative Manager’s Office - personal correspondence files, budget and requisition records, discretionary funds report.

4) Operation Support Commander’s office- inventory records, and personnel records.

5) Investigations Unit - case files, discretionary funds report, confidential informant files, criminal intelligence files and reports of inventory losses.

6) Training Unit - all department training records and internal affairs records. (CALEA 82.3.5)

8. Juvenile Records

a. The Records Section maintains separate files for juvenile and adult criminal history records as provided in SC Code of Laws 20-7-600 (O). (CALEA 82.1.2.a)

b. The AC, as administrator of the Records Section, shall be accountable for the collection, maintenance, dissemination and retention of juvenile records, fingerprints, booking reports and photographs. Decisions by the AC will be made with consultation of the Department Juvenile Officer and are binding, subject to appeal of the Director. (CALEA 82.1.2.b)

c. Access to juvenile records shall be accomplished only on a legitimate need to know basis and are not open to public inspection. (CALEA 82.1.2.c)

d. Upon receipt of a court order outlining the exact offense record that is to be expunged, all information identifying that juvenile shall promptly be removed from Department records. (CALEA 82.1.2.e)
9 Recording Dispositions

All criminal cases presented for prosecution will have the final disposition reported by the officer in a Supplemental Report and same disposition recorded on all arrest records by the Records Section personnel. Dispositions will also be forwarded to the SLED using FBI Form R-84.

a. Adult arrest records will only be expunged and destroyed by order of a Circuit Court Judge, according to South Carolina Code of Laws as applicable to the charges and indicated in an “ORDER FOR THE DESTRUCTION OF ARREST RECORDS”. The General Sessions Court order must be dated and signed by the presiding Circuit Court Judge. Copies of orders will be accepted only if certified as a true copy.

E. Traffic Records

1. Traffic Accident Data

a. Reports: Traffic accident reports will be completed and turned in as soon as possible, preferably by the end of the officer’s shift. If that is not possible, a copy of the incomplete report will be turned in with a notation of the anticipated date of completion. The Supervisor must review all accident reports completed during his shift. The Shift Supervisor will conduct a final review and approve all accident reports. Copies of completed accident reports may be disseminated to the principals or their representatives as with other reports.

b. Locations: The Records Section has a computerized file of the locations of all traffic accidents within the service area. Hard copies of reports are also available for review. Officers may request a copy of such reports through the Records Section personnel. (CALEA 82.3.3.a)

2. Traffic Enforcement Data

a. Traffic Citation Records

1) The Records Section personnel will issue blank citation books to shift/unit supervisors. For accountability purposes, records personnel will log the date issued, the supervisor’s name and inclusive numbers of citations into the log book. Supervisors will log the number of all issued citations in the Supervisors Daily Log Sheet. All other copies of issued or voided citations, with the exception of the violator’s copy, are forwarded to the Records

POLICY AND PROCEDURE #86 RECORDS ADMINISTRATION

11
Section which will maintain them in a secure file for each officer until needed for court. (CALEA 82.3.4.a and .b)

2) Officers reporting to court, will sign for the remaining copies on court day and will return them with properly annotated dispositions that same day. Department of Public Safety’s copies will be forwarded by the Records Section and the agency copies (white) of citations will be maintained in numerical order.

3) Blank citations will be stored, in a locked cabinet, in the Records Section. (CALEA 82.3.4.c)

4) The Records Section has access to all traffic citation records and dispositions. Location data may be gathered through Vision RMS or manual research of the citation records. (CALEA 82.3.3, item b)

3. Accident and Enforcement Analysis Reports

Traffic accident analysis and roadway hazard reports are available through the Records Section Vision RMS. Traffic enforcement analysis can be provided to any officer requesting same through a manual search conducted by Records Section personnel of traffic citations and their locations. (CALEA 82.3.3.a.b.c)

F. Central Records Computer Files

1. An annual audit of the central records computer system will be conducted by the Information Resource Consultant II. The purpose of this audit is to maintain the integrity of the system and security of records contained in the system. The audit will verify all passwords, access codes and identify and document access violations. This audit will be forwarded to the Director in the form of an annual report. (CALEA 82.1.6.d)

2. The Department Windows 2003/ XP Professional Servers are backed-up daily bases seven days a week. Backups are run on the Campus SAN System, using TSM backup software. The Remote Back is running at the main computer room located on the 3rd floor IOP. (CALEA 82.1.6.a., b. c.)

3. The introduction of outside computer software or disks into Department owned computer systems or workstations, without the permission of the Information Resource Consultant II, is expressly prohibited. (CALEA 11.4.4)