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|  | <b>RUTGERS UNIVERSITY POLICE DEPARTMENT<br/>WRITTEN DIRECTIVE SYSTEM</b> |                                      | <b>5:15</b> |
|   | <b>RECORDS OF THE POLICE DEPARTMENT</b>                                  |                                      |             |
|   | <b>Effective Date: 04-03-2013</b>  | <b>Supersedes: 5:15 (02-17-2010)</b> |             |

#### **5:15-1 PURPOSE**

The purpose of this directive is to establish and maintain the policy and procedures concerning the appropriate submission, storage, maintenance and control of the reports and records of this agency.

#### **5:15-2 POLICY**

It is the policy of this department to maintain records in a manner to meet operational, informational and management needs in conformance with applicable law, administrative code, and Attorney General and Prosecutor Guidelines.

#### **5:15-3 GENERAL**

- a. Records serve as the official memory of the police department. As such, they are subject to scrutiny at all levels of the criminal justice system. The agency may be judged for competency by citizens and representatives of other governmental entities by the manner in which reports and records are completed and maintained.
- b. The release of records must be in conformance with the Open Public Records Act of 2002 and applicable Attorney General Guidelines. *See Directive 5:16.*
- c. Records shall be retained in accordance with the schedule promulgated by the New Jersey Division of Archives and Records Management and the specific provisions of this directive.
- d. In order to maintain investigative continuity in investigations, the incident number generated by the initial incident shall be utilized throughout the investigation and administrative processes.
- e. Each division shall designate a Central Records Bureau as its repository for agency records with the exception of the following:
  - Accreditation files
  - Confidential informants
  - Criminal intelligence
  - Fiscal records
  - Juvenile Crime Records
  - Records related to police personnel (internal affairs, training, personnel, medical, disciplinary, grievance, applications, selection, etc.)
  - Those records maintained in other divisions.
- f. The Investigations Division Commander is responsible for maintaining the security and integrity of all Central Records Bureau records and files.
- g. Access to files in the Central Records Bureau is restricted to authorized personnel only. The Investigations Division Commander may grant access to such other personnel on an as-needed basis.

- h. Most of the information contained in the agency's criminal records is available through the in-house computer system or State and Federal electronic records systems. If an investigation is of such magnitude to require copying or inspection of original records, watch commanders are permitted to enter the central records area after hours. In the event no watch commander is available, the duty attending supervisor may authorize a recall of central records bureau personnel to gain access and inspection to these original records. These records may include, but are not limited to:
  - Original fingerprint cards
  - Original photographs or digital images
  - Archived files
- i. All sworn personnel, who are not on suspension or administrative leave, are granted access to the agency's electronic records management system at various levels. Civilian personnel are granted access based on the business needs of the unit(s). Sensitive or secure investigations are restricted to unique security groups designed to limit access to the files pertaining to the investigation. All access must be for a legitimate law enforcement purpose only.
- j. Once the data from the written records is entered into the in-house incident records management system, the physical record shall be promptly filed away. Access to these filing cabinets is restricted. Personnel with a need to physically inspect and/or copy these records for agency purposes, may only do so with the permission of the Division Commander or designee. Original records shall not be removed from the Central Records Bureau unless specifically authorized by the Investigations Division Commander.
- k. Original reports able to be completed electronically shall be completed electronically. Handwritten reports shall be in black or blue ink ONLY. Original reports should be signed in blue ink to identify it as the original and forwarded to the central records bureau for filing.
- l. Follow-up reports (original copies) shall be identified with the same file number as the original precipitating event and forwarded to the central records bureau for storage in the original incident file jacket. This file number is a unique number generated by CAD.
  - This is not intended to preclude the assignment of a unique number to a series of closely related cases at the discretion of the division commander.
- m. The Investigations Division Commander or designee shall conduct a semiannual audit to determine whether agency field reports have been received by the Central Records Bureau and shall promptly report any discrepancies to the appropriate Division Commander.

#### **5:15-4 MASTER INDEX FILES**

- a. Data entered into this agency's Computer Aided Dispatch (CAD) and Records Management System (RMS) form the foundation of this agency's master index files, including, but not limited to:
  - 1. Master name index file of the persons identified in field reports (names of victims, complainants, suspects, persons arrested, and in some cases witnesses);

2. Service calls and crimes by type;
3. Service calls and crimes by location;
4. Stolen, found, recovered, and evidentiary property files;
5. Traffic collision data;
6. Traffic enforcement data; and
7. Roadway hazard information.

#### **5:15-5 JUVENILE CRIMINAL RECORDS**

- a. Juvenile criminal records shall be separated from adult criminal records and stored in secure file cabinets. Juvenile records shall never be comingled with adult criminal records..
- b. Juvenile criminal records shall be conspicuously marked on the file jacket to be distinguished as juvenile records. Records within the agency's records management system are automatically marked "JUVENILE" as a means of distinguishing those recordings including juvenile confidential information.
- c. Procedures for the collection, dissemination, and retention of fingerprints, photographs and other forms of identification pertaining to juveniles are contained in Directive 7:37 Juvenile Investigations.
- d. The Investigations Division Commander is responsible for maintaining the confidentiality of these records. Access is restricted to personnel with an explicit need to know.
- e. When approving Juvenile Criminal Records within the records management system, supervisors shall select the "Juvenile" security group to ensure access is restricted to the file, once approved. The designated juvenile detective shall regularly audit this security group and the overall records management system to ensure compliance and the controlled limited access to juvenile confidential information.

#### **5:15-6 ADULT CRIMINAL RECORDS**

- a. Computerized Criminal History (CCH) files accessed through NCIC are regulated by Directive 13:2 CJIS.
- b. Records maintained within the agency's computerized records management system shall be accessed only for a legitimate law enforcement purpose.
- c. A unique identification number (Local ID) will be assigned for all criminal arrest files for the purpose of maintaining a criminal history file. These numbers will be unique to each division.

#### **5:15-7 FIELD REPORTING & MANAGEMENT SYSTEM**

- a. A standardized process is required to memorialize police activity for future reference. At a minimum, a CAD record will be generated for all citizen complaints, all calls for police service and all self-initiated field activity. This CAD record assigns a unique file number to each incident for reference. CAD records shall be "packed" with as much information as possible as future investigative leads.

- b. Electronic or written reports are required in all of the following incidents/events occurring within this agency's service area:
- Citizen reports of crimes or alleged criminal activity
  - Citizen reports of complaints (non criminal activity)
  - Criminal investigations (assigned or self-initiated)
  - Arrests
  - Issuance of CDR warrants or summonses, and Special Complaints
  - Domestic Violence
  - Field interviews/investigative detentions
  - Found/recovered property or vehicles
  - Injured persons on University Property
  - Vehicle crashes
  - Property damage
  - Firearms discharges
  - Missing/Located/Unidentified Person investigations
  - Assists to other law enforcement agencies
  - Any incident that could generate publicity
  - Any other incident when directed by a supervisor
- c. The following forms are typically utilized to record actions or investigations requiring an electronic or written report noted above:
- Arrest Report
  - DWI Reports (*see directive 10:10*)
  - Field Interview Report
  - Investigations Report
  - Injury Reports
  - Continuation/Supplemental Report
  - Motor Vehicle Crash Report (NJTR-1)
  - Motor Vehicle Report (Tow Sheet)
  - Property Evidence Report
  - Missing Person Packet
  - Unidentified Person Packet
  - Prisoner Transfer/Transport Report (PTTR)
  - Pursuit Incident Report
  - Victim Notification Form
  - State Required Supplemental Reports (i.e. Bias Crimes, Dom. Violence, etc.)
- d. Individual guides for the proper completion of some forms are available on-line via the Department's Intranet. Most forms are self explanatory concerning the information required. Personnel are responsible for completing these field reports according to the guidelines established in these report guides.
- e. **Personnel shall complete and submit all reports by the end of their shift to their supervisor.** If their supervisor is unavailable, they should be given to another supervisor in their division's chain of command.

- f. Supervisors should collect the reports due from their subordinates at a reasonable time to permit review and corrections prior to the end of the officer's shift. Reports submitted due to incidents late in a shift should be submitted to and reviewed by the next shift supervisor. Routinely passing off reports until the attending supervisor's next working day is prohibited.
- g. Supervisors should not dismiss subordinates unless all due reports are submitted and approved.
- h. Sergeants are responsible for reviewing reports submitted by subordinates to ensure that they were completed in compliance with this directive and the appropriate field report guide. Reports containing errors or deficiencies will be returned to the authoring person for correction prior to submission to the Central Records Bureau. Supervisors will indicate that they reviewed the report by placing their name and ID number in the appropriate field or by indicating their review electronically through the computerized records management system, where appropriate.
- i. If a report is held back for corrections, a Report Correction Form shall be completed and forwarded to the Central Records Bureau. This form advises the records staff that the report had been held. A copy of this Report Correction Form shall be maintained by the appropriate watch commander for reference.
- j. Field reports authored by supervisors should be reviewed by a supervisor in the next level of command.
- k. Completed reports shall be placed into the appropriate bin or filed electronically as appropriate. The night shift supervisor or designee is responsible for sorting and collating field reports to include the following tasks:
  - Reports shall be sorted chronologically by file number
  - Reports with the same file numbers shall be grouped together (*Example: incident, arrest, continuation placed together*)
  - Teletypes and supporting documents shall be attached.
- l. Motor Vehicle Reports (Tow Sheets) and NJTR-1's shall be placed with teletypes and supporting documents attached.
- m. Approved attachments (forms, complaints, diagrams, statements, etc) shall be scanned and included in the electronic record, where available.
- n. The Records Bureau Personnel shall print a list of all reports due for the prior 24 hour period and ensure that all reports are accounted for. Missing reports shall be located and any exceptions must be noted on the printout and forwarded to the Investigations Division Commander. Report Correction Forms shall likewise be forwarded. Personnel completing this task shall affix their signature and ID to the list.
- o. The Records Bureau Personnel shall copy and distribute any reports deemed necessary by the Division Commander.
- p. The Traffic Commander shall be forwarded all Motor Vehicle Crash investigations.
- q. Juvenile Release forms shall be forwarded to the Department's Juvenile Officer.

- r. The Investigations Division Commander shall provide copies of criminal reports and criminal records to *the appropriate Municipal & County Prosecutors, New Jersey Attorney General, Commissioner of the Department of Corrections, and any other State and Federal law enforcement agency upon request, on an as-needed basis, and in accordance with law.*
- s. Reports containing descriptions of hazardous or dangerous conditions that are under the purview of other governmental agencies and/or university departments shall be copied and forwarded to the appropriate government agency and/or university department with jurisdiction/responsibility without undue delay. Information within the report that is not subject to public disclosure shall be redacted. These governmental agencies include, but are not limited to University, municipal, county, and state:
  - University Facilities and/or Municipal Public Works Departments
  - Facilities/Engineering/Transportation Departments
  - Zoning, property maintenance, code officials
  - Fire Department/Fire Code Officials
  - Rutgers Environmental Health & Safety (REHS) / Public Health Officials

#### **5:15-8 WARRANTS & WANTED PERSONS**

- a. Actors wanted by this agency shall be entered into the New Jersey Wanted Person System (NJWPS). Prior to entry, all available descriptive information shall be obtained using appropriate sources, i.e. NJDMV, NLETS and NJCCH/III files. NJWPS records shall be packed with as many descriptors as possible. Agency records shall reflect that warrants had been issued and entered into the system.
- b. This agency will not routinely enter wanted persons into NCIC. NCIC wanted person records require a commitment for extradition. The Prosecutor or the Sheriff, if necessary, will normally make these entries. However, an NCIC wanted person entry is appropriate if:
  - The offense is a Part I crime; and
  - The appropriate County Prosecutor authorizes the entry.
- c. When so authorized, NCIC entries shall likewise be packed with as many descriptors as possible. Wanted persons entered into NCIC do not require a concurrent entry into NJWPS. Agency records shall reflect that warrants had been issued and entered into the system.
- d. Upon receipt of a hit confirmation request, the communications center personnel shall ensure that a substantive response is furnished as soon as possible. A substantive response is a positive or negative confirmation or notice of a specific amount of time necessary to confirm or reject.
- e. NJWPS and NCIC hits must be confirmed with the originating agency. Hit confirmation procedures are contained within the NJCJIS Manual.
- f. All ACS or ATS records from this agency shall be presumed valid. Other law enforcement agencies inquiring for verification of warrants listed in ACS or ATS entered by the appropriate Municipal Court for this agency shall be so informed.

- g. Once an ACS, ATS, NJWPS, or NCIC warrant is confirmed and an arrest is made, the warrant(s) must be cleared and/or administratively executed. See directive 13:5-4 and AOC and NCIC manuals for procedures.
- h. In most cases, a verified electronic copy of a warrant is sufficient to make an arrest.

#### **5:15-9 RECORDS DISPOSAL PROCESS**

- a. NJAC 15:3-1 et seq. regulates the retention and disposal of public records through the New Jersey Division of Archives and Records Management (NJDARM). Division commanders are responsible for archiving and ultimately disposing of unnecessary records under their purview.
  - A supplemental retention and disposal schedule is further attached (appendix A) to this directive enumerating records either not included in or with retentions different from the NJDARM schedule.
- b. The Juvenile Officer shall be responsible for disposing of outdated juvenile related records including juvenile crime records, photographs and fingerprints in accordance with the provisions discussed above at 5:15-9a.
- c. Pursuant to NJSA 2A:4A-64(f), expungement of juvenile records shall be governed by the applicable provisions of chapter 52 of Title 2C of the New Jersey Statutes.
- d. The appropriate investigations personnel shall be responsible for disposing of outdated criminal intelligence and confidential informants records.
- e. The Chief of Police is responsible for disposing of outdated internal affairs records and other personnel related records (see 5:15-3d).
- f. The Investigations Division Commander is responsible for disposing of outdated criminal reports, summonses, and NJTR-1s.
- g. The Operations Division Commander (or designee) is responsible for disposing of outdated prisoner and cell records.
- h. The Records Custodian shall maintain a ready supply of the New Jersey Division of Archive and Records Management Request and Authorization for Records Disposal forms.
- i. These forms may be typed or neatly printed. The forms are self explanatory. The New Jersey Records Retention Schedule contains a list and description of various records, the minimum retention schedule, method of destruction, and their associated series number.
  - Records should be grouped together in their Record Series Number and an estimate of their cubic footage should be obtained. (*One drawer of a standard 42" wide later filing cabinet contains 3 ½ cubic feet of records.*)
  - The month and year of the oldest record needs to be recorded in the proper box and the month and year of the most recent record needs to be recorded in the proper box.
  - Requests to dispose of any financial records (overtime, confidential funds, petty cash, etc.) must be forwarded to the Business Services for approval.

- Completed forms shall be forwarded to the Administrative Bureau Commander for final review and mailed to the Division of Archives for approval.
  - While awaiting approval, the records that are being disposed of should be securely boxed and separated for records that are still being retained.
  - When approval to destroy the records has been received from the Division of Archives, the records shall be promptly destroyed by shredding.
  - Block #12 of the Request and Authorization for Records Disposal shall be completed and the form shall be again forwarded to the Administrative Bureau Commander. The yellow copy shall be mailed to the Division of Archives and the pink copy shall be retained permanently. A copy of the fully executed form shall be forwarded to the Accreditation Manager
- j. The Chief of Police may reassign personnel to records disposal duties at times when a significant number of outdated records need to be destroyed. The Chief of Police may authorize an outside vendor to shred the records.
- k. **Personnel shall not haphazardly discard police related records into the trash without first destroying or redacting confidential information** contained within such as social security numbers, driver's license numbers, DOB, telephone numbers, etc.



# RECORDS RETENTION AND DISPOSITION SCHEDULE (supplemental)

| Record Title and Description  | Retention                            | Disposition |
|---|--------------------------------------|-------------|
| <b>Evidence Log</b><br>Log maintained of all evidence on all cases  | Permanent                            | Permanent   |
| <b>Key Sign Out Log / KeyWatcher® Files</b><br>Log of those signing out various keys  | 1 Year                               | Destroy     |
| <b>Knight Mover Shuttle Dispatcher Record</b><br>Log of all calls received from shuttle service. Keeps track of call time, pick up time and drop off time   | 2 years                              | Destroy     |
| <b>Knight Mover Shuttle Driver Record</b><br>Log of pick up times, destination, number of people and drop off times   | 2 years                              | Destroy     |
| <b>Lighting Files and Emergency Phone Files</b><br>Lots, academic areas, residential areas, pathways.   | 1 Year                               | Destroy     |
| <b>Lost/Found Property</b><br>Date, description, location and disposition of all found property, property sheets, receipts, case number/date, description of property, signature of person transfer, missing property reports.  | 3 Years<br>(after final disposition) | Destroy     |
| <b>Mounted Patrol Nightly Log Record</b><br>Indicates hourly events during shift, areas checked and any incidents   | 10 years                             | Destroy     |
| <b>NCIC Log Book</b><br>Including status of all stolen vehicle and NCIC entries   | 10 Years<br>(after last entry)       | Destroy     |
| <b>Personnel Files</b><br>Intradepartmental files to include: Employment Application/resume, Background Investigation, Letters, Commendations, Awards, Certifications (training/ schools), Disciplinary Actions, Other Personnel Actions, Personnel Appraisals/Evaluations, & Personnel Data Record | Permanent                            | Permanent   |
| <b>Physicians Evaluation Request Record</b><br>Sent along with accident report to Occupational Health requesting that an employee be evaluated  | 6 years                              | Destroy     |
| <b>Uniform Replacement Requests</b><br>All requests for original and replacement uniforms   | 3 years                              | Destroy     |
| <b>University Employee Accident/ Injury/ Illness Record</b><br>One page report sent to Risk Management, Occupation Health, and REHS.  | 6 years                              | Destroy     |

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