

Records

Index Code: 1001

Effective Date: 01/15/10 Revised 8/30/2022

I. Purpose

The purpose of this directive is to establish privacy and security precautions for the Office of the Sheriff's central records, and establish a process for maintaining security of the central computer system.

II. Policy

The central records function is essential for the effective delivery of law enforcement services. Law enforcement related records are confidential by nature, and may only be released in accordance with agency policy and applicable State and Federal laws or regulations. It is the policy of the Office of the Sheriff to maintain the privacy and security of all agency related records and computer systems, and to establish cautious guidelines for their distribution.

III. Records Access

A. To maintain the integrity of the records maintenance system, unauthorized persons are not allowed physical access to the Records Room or administrative control of the central records computer system. Members of the Command Staff, clerical personnel and the Evidence Manager are granted access to the Records Room for business purposes. Only the Computer Systems Liaison and his/her designee are granted administrative rights to the central records computer system.

B. Clerical personnel and the Evidence Manager are permitted direct access to agency files and information, but will not engage in secondary dissemination of agency records without Command Staff authorization.

C. Human Resources staff will have direct access to personnel files but will not access any other records without Command Staff authorization.

IV. Records Room Security

The Records Room is posted identifying the personnel listed above with authorized access. When not in use the Records Room door will be locked. In addition, the Records Room is under video surveillance twenty-four hours a day.

V. Central Records Computer System Security

The central records computer system is maintained by the Queen Anne's County Department of Emergency Services (DES) in cooperation with the agency Computer Systems Liaison appointed by the Sheriff. DES provides security for the hardware and the technical elements of the system, while the agency's Computer Systems Liaison secures the software and user elements of the program. Included in the process are the storage, security, and data back-up of the system. The computer system is equipped with a password audit tracking mechanism which will be reviewed annually by the Computer Systems Liaison and the Chief Deputy.

VI. Operational Accessibility

A. Agency records are accessible to authorized personnel at all times. After normal business hours, and on weekends, agency records are available by contacting a member of the Command Staff who will respond and open the Records Room.

B. Offense/incident reports are entered into the Computer Aided Dispatch (CAD)/Report Management System (RMS) computer system and the information contained in those reports is accessible to authorized law enforcement employees from any designated computer within the agency. Employees may generate investigative data and reports from the computer system to include calls for service, crimes by type and location, arrestee/suspect information, victim/witness information, stolen and recovered property, and recorded evidence.

VII. Retention of Records

All original Offense/Incident Reports, along with related documents (i.e., statement of charges, witness statements, etc.) are maintained in the RMS with the exception of those initiated by the Drug Task Force, which are maintained at their facility. The records remain indefinitely in their original state until transferred to an archive storage system.

Personnel records will be retained for at least three years in Office of the Sheriff Human Resource files. After three years, records may be archived or retained in the agency Human Resource files.

XI. Proponent Unit: Administrative Services Division

XII. Cancellation: Revision dated 6/28/16

VIII. Uniform Crime Reporting

The Office of the Sheriff participates in the National Incident Based Reporting System (NIBRS). Each month compiled data is forwarded to the Maryland State data base, which acts as the State clearinghouse for the FBI. All information reported by the agency is ultimately incorporated into the annual NIBRS report, as well as quarterly and annual reports distributed by MSP.



Sheriff Gary Hofmann

IX. Release of Agency Records

A. The Maryland Public Information Act (1970) regulates what Offense/Incident Reports are created, collected, or disseminated by law enforcement agencies.

1. Offense/Incident reports may be released to associated victims, property owners, aggrieved parties, legal guardians/parents of victims, criminal justice agencies, social service agencies, or by court order. Arrestees/suspects requesting reports will be directed to the State's Attorney's Office.

2. Offense/Incident reports may be furnished to insurance companies after appropriate review and removal of any restricted information.

B. Copies of accident reports may be released to persons including:

1. Drivers/vehicle owners
2. Damaged property owners
3. Third party authorized representatives
4. Law enforcement agencies

C. No Offense/Incident Report will be released to the general public without authorization from the Custodian of Records or designee and in conformance with Index Code 2303 (Release of Information to the Media, and Index Code 2304 (Release of Information to the Public).

D. The electronic CAD/RMS will create a record of all reports viewed or distributed, indicating the date of dissemination, recipient, and employee identification number.

X. CALEA References: 82.1.1a, 82.1.1b, 82.1.1c, 82.1.6a, 82.1.6b, 82.1.6c & 82.1.6d.