

Records Division

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Redding Police Department Records Division. The policy addresses Redding Police Department file access and internal requests for case reports.

803.2 POLICY

It is the policy of the Redding Police Department to maintain Department records securely, professionally, and efficiently.

803.3 POLICE SERVICES MANAGER (PSM) AND RECORDS SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Police Services Manager (PSM) and to a Records Supervisor. The PSM shall be directly responsible to the Administration Division Commander or the authorized designee.

The responsibilities of the PSM and the Records Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Division.
- (b) Scheduling and maintaining Records Division time records.
- (c) Supervising, training and evaluating Records Division staff.
- (d) Maintaining and updating a Records Division procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:
 1. Homicides.
 2. Cases involving Redding Police Department members or public officials.
 3. Any case where restricted access is prudent.

803.3.1 RECORDS DIVISION

The responsibilities of the Records Division include, but are not limited to:

- (a) Working with IPS and the Spillman Project Team on maintaining a records management system for case reports.
 1. The records management system should include a process for numbering, identifying, tracking and retrieving case reports.
- (b) Entering case report information into the records management system.
 - (a) Modification of case reports shall only be made when authorized by a supervisor.

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- (c) Maintaining compliance with federal, state and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:
 - 1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
 - 2. Suspected hate crimes (Penal Code § 13023).
 - 3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).
 - 4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
 - 5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
 - i. The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).
- (d) Maintaining compliance with federal, state and local regulations regarding criminal history reports and auditing.
- (e) Identifying missing case reports and notifying the responsible member's supervisor.
- (f) Updating the Automated Firearms System to reflect any firearms relinquished to the Redding Police Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).

803.3.2 RECORDS DIVISION PROCEDURE MANUAL

The Police Services Manager and the Records Supervisor should establish procedures that address:

- (a) Identifying by name persons in reports.
- (b) Classifying reports by type of incident or crime.
- (c) Tracking reports through the approval process.
- (d) Assigning alpha-numerical records to all arrest records.
- (e) Managing a warrant and wanted persons file.

803.4 DETERMINATION OF FACTUAL INNOCENCE

In any case, where a person has been arrested by officers of the Redding Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Police Services Manager (PSM). The PSM may contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon determination that a finding of factual innocence is appropriate, the PSM shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are

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made to the California Department of Justice and other law enforcement agencies (Penal Code § 851.8).

The PSM should respond to a petition with the Department's decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

803.5 ARREST WITHOUT FILING OF ACCUSATORY PLEADING

The PSM should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

- (a) The individual is issued a certificate describing the action as a detention.
- (b) All references to an arrest are deleted from the arrest records of the Redding Police Department and the record reflects only a detention.
- (c) The California DOJ is notified.

803.6 CONFIDENTIALITY

Records Division staff has access to information that may be confidential or sensitive in nature. Records Division staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Division procedure manual.