



## Records and Reports

### .01 Policy

Although it is the police mission 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.

### .02 Terms

**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 business shall not be recorded as a victim.

**Police Department:** The Bladensburg 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.

**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.

**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.

**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.

### .03 Governing Legislation and Reference

**Governing Legislation:**

Maryland Code, Criminal Procedure Article, §10-219.

Maryland Code, General Provisions Article, §§4-201 through 4-306, Inspection of Public Records.

Title 28, Code of Federal Regulations, Part 20.

Forms: N/A

Reference:

General Order 216, Criminal History Record Information.

General Order 217, Security of Criminal Justice Information System.

General Order 236, Records Retention and Disposal Schedule.

General Order 240, Release of Information.

Special Order 2008-1, Release of Motor Vehicle Accident Reports.

Appendix A – Report Classification Matrix.

Appendix B - Report Abbreviations.

### .04 Procedure

#### A. Records Section

##### **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 Custodian for guidance.

##### **Records Section Services**

Records Section is staffed during normal business hours. Employees may access the Records continuously using the records management database computers.

Requests for fingerprinting services should be coordinated through the Community Resource Unit.

#### B. Police Records Dissemination

An employee or citizen requiring police records information not described in written directives shall contact the Records Custodian or Technical Services Coordinator.

##### **Statistics**

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

- Citizen requests for neighborhood information (residential crime statistics)

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shall be referred to the Community Service unit;

- Commercial requests for crime information from builders, management companies and attorneys shall be referred to the Technical Services Coordinator; and,
- Governmental and educational requests for crime information shall be referred to Technical Services Coordinator.

### Motor Vehicle Accident Reports

Motor vehicle accident reports are available to persons listed in the applicable traffic records or representatives authorized by record subjects.

### Traffic Records

- 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.

### Maryland Criminal Citation

Employees may obtain Maryland criminal 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 Records Section.

### Incident Records

Police incident-related records are available to:

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

- C. Criminal History Record Information (CHRI)  
(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 investigations; or,
- 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; and,
- 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; and,
- 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;

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- Private employment agencies; and,
- Public housing authorities.

### Expungement

Employees shall refer expungement inquiries to the Records Custodian. The Custodian 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.

#### D. Juvenile Records

##### Access Standards

Juvenile-related records/information may be accessible to law enforcement and prosecution agencies for:

- Criminal investigations;
- Criminal proceedings; or,
- Juvenile cases.

#### E. Penalties & Sanctions 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; and,
- 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; and
- 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; and,

- 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; and,
- Three-year imprisonment.

#### F. Reporting Procedures

##### Table of Incidents & Forms

For report classifications forms for common calls for service see the Report Classification Matrix. The reporting person will be advised of the Case Number.

##### 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;
- Case Report (automated);
- Motor Vehicle Accident Report;
- Warning/Field Observation/J2; or,
- Citations.

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

##### Supplement Reports

A Supplement Report will be used to document additional information.

##### Preparation & Review of Reports

Officers shall complete detailed reports on the prescribed forms, 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 Case Number; original Case Numbers are obtained from the CAD;
- Date and time of the offense and initial reporting (24 hour (military) time will be used on all reports and all intra-Departmental communications);

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- 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; and,
- 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 Case and Supplemental Reports may be used in lieu of the pre-printed report forms.

All reports will be submitted prior to end of watch. A Supplemental Report will follow incomplete reports as soon as necessary information becomes available to the officer.

Supervisors will review and approve all records 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; and,
- Supervisors may approve their own reports.

### **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, a Case 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 case number. 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 case numbers;
- Mini-Storage Area - Mini- Storage areas leased or owned by individuals will require separate reports and case numbers; and,
- Office Sites - Commercial office sites occupied by different renters or owners require separate reports and case numbers.

Multiple stolen, attempted stolen or recovered autos require only one case number. However, to facilitate accurate reporting, each vehicle will be listed on a separate form (supplement), using the same case number.

### **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 case number 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.

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### 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 Communications make notification to the appropriate jurisdiction. The officer shall complete and submit a Case Report after notification has been made.

Communications 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.

### G. Department Correspondence

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

#### Letterhead

Bladensburg Police stationary shall be used for:

- Letters to citizens, officials outside Town Government and Town Council members;
- Formal letters from the Chief of Police to employees, such as, commendations, retirements; and,
- Memoranda to Town offices.

#### Inter-Office Memoranda

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

- Intra-Department correspondence; or,
- Correspondence forwarded through the chain of command.

#### Forwarding

Employees shall transmit Department correspondence to recipients through the chain of command.

The chain of command may be bypassed for the following:

- Writer's Supervisor authorizes direct transmission to an addressee;
- Materials distributed for staff review by management;

- Confidential or sensitive information;
- Allegations of discrimination or harassment;
- Issues concerning infectious disease exposure; or,
- 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 Supervisor.

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.

Inside Address: Place at left margin of the letter, not less than two spaces, no 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

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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 (Senator's Name):

The Honorable (Current Representative's Name)  
House of Representatives  
Washington, D.C. 20515

Dear Congressman/Congresswomen:

Miscellaneous addresses:

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

### Style Guidelines

- Hyphens 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:
  - I would like...;
  - Let me take this opportunity... ;
  - Let me say...; or,
  - Due to...

### Mailing Instructions

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

### 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.

### 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; and,
- Recommendation.

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.

## H. Letter of Commendation Procedures

### 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 Chief of Police shall acknowledge the correspondence.

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

- The employee commended, through their Supervisor; and,
- The employee's agency personnel file.

Supervisors receiving notification or correspondence of extremely unusual or heroic police performance may, in addition to the steps above, send a copy of the

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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 Supervisor.

Supervisors 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.

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HISTORY: Adopted December 1, 2013. Revised January 20, 2015.

This General Order supersedes all other orders and memoranda in conflict therewith.

Authority:



Charles L. Owens

Chief of Police