

133. DATA PRACTICES: STATUS OF SUSPECTS/ARRESTEES



RICHFIELD POLICE DEPARTMENT POLICY

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Authority: Chief Jay Henthorne

NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

I. PURPOSE

The purpose of this Policy is to provide information for the classification of investigative case dispositions where charges are being sought against a known suspect(s), thereby ensuring consistency in the release of information according to the Minnesota Data Practices Act.

II. POLICY

It is the policy of this Department that investigative cases will not be considered inactive and suspect information will not be released unless the criteria listed in the Minnesota Data Practices Act have been met.

III. PROCEDURE

The submission of a case to the appropriate prosecutorial authority for charges, **does not** render a case inactive and thereby make the suspect's identity public information. The suspect must be charged, or clauses a, b, or c below, must apply before the information is public.

An investigation becomes inactive upon the occurrence of any of the following events:

- a) A decision by the agency or appropriate prosecutorial authority not to pursue the case;
- b) Expiration of the time to bring a charge or file a complaint under the applicable statute of limitations, or 30 years after the commission of the offense, whichever comes earliest; or
- c) Exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the investigative data.

Any investigative data presented as evidence in court is public. Investigations determined to be inactive may become active if the Department or appropriate prosecutorial authority decides to renew the investigation.

A suspect's identity is generally public information if the suspect has been issued a citation or arrested subject to certain restrictions as specified in the Minnesota Data Practices Act.

By Order Of:



Chief of Police