



STANDARD OPERATING PROCEDURE

2009-12

Records Management

ORIGINAL: 09-03-2009

Revised: 02-02-2010

I. PURPOSE

It is the purpose of the Urbandale Police Department to conduct all records related functions in accordance with all applicable state statues, federal and state regulations and department directives. The purpose of this directive is to establish procedures governing records maintenance, access to records and release of records.

II. DEFINITIONS

- A. "Public Record" means any record, document, tape or other information stored or preserved in any medium pursuant to Iowa Code § 22.1.
- B. The legal Custodian of Records is the Police Chief.
- C. "PIO" means the Public Information Officer.
- D. "NCIC" means the Nation Crime Information Computer system.
- E. "NIBRS" means the National Incident-Based Reporting System.
- F. "CAD" means Computer Aided Dispatch system.
- G. "DCI" means the Department of Criminal Investigation.

III. PROCEDURE

A. Administration and Maintenance.

1. The Staff Services Commander shall be responsible for the administration and maintenance of Department records. Duties associated with this responsibility include supervising records personnel, records storage, records purging, records release and records access.
 - a. Records include all official reports and documents generated during the course of business including tickets, case files, photographs and any medium of capture used in daily business.
 - b. Department records shall be secured, retained, disseminated and purged in accordance with state statues and department policy.
 - c. All records and documents captured in any medium by employees of the Urbandale Police Department are the property of the Urbandale Police Department and shall remain within the police building unless otherwise approved by the Chief of Police or a Lieutenant for removal;

unless requested by court order or required for court testimony by an officer or evidence technician.

- d. The Staff Services Lieutenant shall assure security for all electronic entries that require both a password and login as well as layers of security that protect files from corruption, modification or destruction.

IV. Record Access and Release

Record information shall be accessible to Department personnel as determined by the Staff Services Lieutenant and Chief of Police. Records can be shared and reproduced for outside law enforcement agencies assisting with case investigation or review.

A. Review of Records by the Public.

1. Requests to view records are legal in any form including written, electronic, telephone/faxed or verbal requests. The requestor IS NOT required to provide their name or the purpose for the request, however, the requestor's information may be necessary if records need to be reproduced and provided at a later time to the person making the request or if payment is required in advance. Identification can be requested under limited circumstances when access to the record is restricted such as court orders, autopsy reports and DOT accident reports.

B. Time for Internal Review.

1. Iowa Code 22.8(4) (d) allows a reasonable delay of 20 calendar days to respond but normally the delay should not exceed 10 business days. This allows our agency time to consult with the City Attorney about the confidentiality of the requested records.

C. Examination of Records.

1. The examination of records is allowed during normal business hours unless the requestor and the lawful custodian agree on a different time. Business hours are Monday – Friday 8:00am to 5:00pm.
2. Every person making the request to examine a record is permitted to do so without charge. This includes taking photographs of the records or making copies if they bring a portable copy machine.
3. A supervisor shall not relinquish control of the records; they shall provide a place for examination and copying and they should supervise the review of the records in order to preserve all original documents.

D. Public Records that are Confidential

Public records that are confidential SHALL NOT BE RELEASED for inspection or copying. Records protected by Iowa Code for confidentiality purposes include:

1. Intelligence Data pursuant to Iowa Code § 692.8A.

2. Registered Victim Information pursuant to Iowa Code § 915.
3. Social Security Numbers (Federal Privacy Act).
4. Identity of a Child Victim under the age of 12 pursuant to Iowa Code § 232.
5. I.D.O.T. accident reports, except immediate facts and circumstances pursuant to Iowa Code § 321.271.
6. Presentence Investigation Reports.
7. Minutes of Evidence.
8. Investigative Reports/Autopsy Reports of Medical Examiner § 22.7(41).
9. DCI Criminal History Information pursuant to Iowa Code § 692.8A.
10. Work products of an attorney, particularly the City Attorney pursuant to Iowa Code § 22.7.
11. Peace officers investigative reports especially when disclosure would plainly and seriously jeopardize an investigation or pose a clear and present danger to the safety of an individual or officer pursuant to Iowa Code § 22.7(5).

All confidential records including criminal history and intelligence data protected by Iowa Code § 692 shall remain with the case file; however, these records shall be conspicuously marked or stamped to prevent release under the open records laws.

Supervisors are encouraged to review Iowa Code § 22.7 in its entirety to determine confidential issues prior to releasing or permitting inspection of a record.

E. Release of Simple Misdemeanor Records

1. Simple misdemeanor cases shall be released to a requester in accordance with Iowa Code 22.7(5) unless the release jeopardizes an investigation or presents a danger to the safety of an individual.

F. Juvenile Records

1. Pursuant to Iowa Code § 232.149 the taking of a child into custody under provisions of § 232.19 shall not be considered an arrest and as a result these records shall not be considered public.
2. Pursuant to Iowa Code §232.149 the records of a child taken into custody for a delinquent act are public record except for intelligence data and criminal history data. The investigatory files are subject to provisions of Iowa Code § 22.7 and 692.
3. Any juvenile who escapes from detention under § 232.22 may have their name released under public record to include the facts surrounding the escape and the offense resulting in the placement of the juvenile.
4. Any juvenile record sealed by the order of the Court pursuant to Iowa Code § 232.150 shall not be released unless permitted by court order.

G. Employee Records

1. Available employee records include:
 - a. Employee compensation.
 - b. Employee sick leave (including hours and days, but not specific reason for the sick leave.
 - c. Employee promotion dates and years of service.
 - d. Employee awards and certificates of accomplishment.
2. Employee confidential records that may be released in discretion of custodian:
 - a. Employee job performance records.
 - b. Limited personal information about employees.
 - c. Training records supported by the city budget.
3. All other types of employee records shall be reviewed by the City Attorney to determine confidentiality and the need for public release.

V. Cost of Records

- A. There is no cost to reproduce a record for another law enforcement agency involved in the investigation of an Urbandale case or as a result of intelligence sharing within the law enforcement community.
- B. There is no cost to reproduce a record for the media unless the research and record(s) requested is 30 days old or older and requires a search within historical files or stored documents. When the record is more than 10 pages, a charge of \$0.10 for each additional page and an assessment of clerical labor hour's costs will be charged. The cost of labor hours will be rounded to the nearest 15 minute interval of actual hours spent preparing the documentation. At their discretion, a Division Commander or the Chief of Police may waive this cost.
- C. The following charges shall be assessed for records. A basic charge of \$5.00 for any record request will be assessed. The \$5.00 basic charge reflects fifteen minutes of clerical labor hours and includes the first 10 pages for free. For any request that exceeds \$5.00, the agency may charge for actual labor of the person conducting the work and .10 per page. The agency will estimate, as closely as possible for the exact amount, and the estimated fee will be collected in advance of any record being reproduced. At their discretion, a Division Commander or the Chief of Police may waive this cost.

Audio and Video reproduction requires police officers reproduce the items. Per request, the average labor hours involved between clerical staff and custodial officers to reproduce and disseminate audio and video files averages thirty minutes. Therefore, a basic charge of \$14.00 per audio or video item includes material cost of reproduction and ½ hours labor cost for the custodial officer's time. Items exceeding the basic labor rate of ½ hour will be pro-rated in fifteen (15) minute intervals.

Incident Reports	\$5.00 for 10 single-sided pages or less
Each additional page	\$0.10 per single page
Local Records Checks	\$5.00
Video Tapes, CD's, DVD's	\$14.00 per reproduction
Audio, CD's	\$14.00 per reproduction
Photograph(s)	\$5.00 per page, 4 photographs per page

VI. Public request for Criminal History Record

- A. Requests by the public for criminal history data shall be made in writing to the Department of Public Safety and that history may only be released if the person is identified by name and date of birth. The release of the records shall be made to the named individual or an individual's attorney. Iowa Code § 692.2.

VII. Public request for Vehicle Registration

- A. Due to anti-stalking laws found in Iowa Code § 708.11, the Urbandale Police Department shall not provide drivers license or vehicle license registration information to the public. If the request is made pursuant to an abandoned vehicle complaint, an officer should be assigned to investigate the complaint.

VIII. Record Retention

- A. All records will be retained according to the current City of Urbandale policy for record retention. The following schedule will cover all other records not in the City's policy:

Mobile Video Tape	90 days from the end date on tape
Mobile Video Digital	180 days from actual date
Jail Video	12 days maximum from actual date
Police Station Security	12 days from actual date

By order of:

Ross McCarty
Chief of Police