

Salisbury University Police Department

CHAPTER 82 – CENTRAL RECORDS

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Responsibilities:

Persons authorized to release Criminal History Record Information (PCOs, Administrative Assistant, Squad

5. When a court order is obtained for release of a juvenile arrest or information, a copy of the order is to be attached to the original report and placed in the appropriate file.
- H. Requests for information regarding juveniles involved in motor vehicle collisions may be released if the charges do not involve actual or potential incarceration, and the juvenile is not charged on a juvenile arrest sheet.

Refer to Annotated Code of Maryland, CP 10-105 and CP 10-106
Refer to Annotated Code of Maryland, CJ, 3-8A-27 and ED 7-303

82.1.3 Record Retention Schedule

The University Police Department utilizes a records retention schedule and purges records in accordance with state law.

82.1.4 Uniform Crime Reporting

The Salisbury University Police Department participates in the National Uniform Crime Reporting Program. Crime data is collected and standard report forms are prepared by the Administrative Assistant who submits information as specified in the UCR manual.

Final reports are mailed to the Maryland State Police Headquarters, which is the state UCR repository, and must be received by the 7th of each month.

82.1.5 Report Accounting System

The agency's field reporting system is primarily contained in the case management module of the Automated Records Management System (ARMS). If the system is unavailable, a hard copy report will be written. Capabilities of this system include, but are not limited to:

1. Recording every incident of citizen complaints and crime reports, incidents in which an officer is dispatched, criminal and non-criminal cases and arrests, citations and summons issued;
2. Assigning unique numbers to every case;
3. Computer applications and modules to be completed for specific types of cases;
4. Supervisory review and approval;
5. Maintaining indexed information to include: all persons identified in reports, case numbers, incident types, incident locations, stolen, recovered and evidentiary property, etc
6. Accounting for the status of all case numbers, reports, case assignments, follow-up reports and dispositions.

Other forms and reports which are required include:

1. Report – See 61.2.1 Traffic Collision Reporting and Investigation
2. Missing Persons Reports – See 41.2.5 Missing Persons
3. Maryland Uniform Complaint and Citations – See 61.2.1 Uniform Enforcement Procedures
4. Criminal/Civil/Juvenile Citations – See 1.2.6 Alternatives to Arrest and 44.2.1 Handling Offenders

Refer to 42.1.3 and 42.1.4 - Criminal Investigation – Case File Management

82.1.6 Computer File Backup and Storage

The University's Information Technology Department ensures that back-ups of the department's central records computer files are completed daily. Used media is recycled and physically destroyed by computer personnel when no longer operable. The daily backups are stored by the IT department as well as an off-site location. Authorized employees are issued a user name (access code) and a password to access the department's computer network. This password expires every 90 days at which time authorized employees will be prompted to change their password. Additionally, the Automated Records Management System (ARMS) requires a password to log into the system. Each authorized employee is assigned an initial password upon employment and passwords expire every 90 days at which time employees will be prompted to change their password.

82.1.7 Computerized Security Protocol

Employees authorized for access and release of criminal history records are NCIC certified by the State of Maryland based upon the successful completion of training by the Maryland State Police. An employee's level of certification (security) is based upon his/her position and area of responsibility. The training received is tailored to meet the employee's level of security. Patrol officers are authorized to access only the following information (o)-2(2(th)-6(e)5()-50(t2.024 h159R')-146(o)-2(f)4(f(C)-35C))-4(ack)-157(inire)-6(s)5(9(th): 7()-1m)3(at)lore()-38 (p)-4(-10()-714()-5

J. Special Indicator Blocks

Check all special indicator blocks that are applicable and/or mandated by Federal Law. Federal Law requires a response of Yes or No for Hazmat, Commercial Vehicle and CDL License questions on all citations.

1.

L. County Code, Area

Record the county code number - 22 and Area - HZ SSU

M. Arrest Type

Record the appropriate code to reflect the precise type of enforcement. All codes are listed on the inner flap of the citation book.

N. DOT Number

Enter vehicle Department of Transportation number when issuing citation for violation of DOT regulations.

O.

S. Officer's Signature

The charging officer must sign the citation in the first half of the "Officer's Signature" line. In the second half of the line, the officer will legibly print his/her last name.

T. Agency/Officer Codes – Agency – 02, Sub-agency – 03 and Officer's ID number

U. Radar/Breathalyzer Operators

If a Radar Operator is required to appear as a witness for the charge, use this section to summons the officer. Enter the officer's name and proper codes. If the officer is with a different agency, use the witness summons form.

DO NOT use this section to summons a Breath Test operator. Breath Test results are admissible without the presence of the Operator. The Operator is only required to attend court when summoned by the Defense.

V. Defendant's Signature

Request the defendant sign the citation and explain that the signature does not imply an admission of guilt, but only serves to acknowledge receipt of the citation and the defendant's promise to appear for trial or pay the fine. Except as delineated below, the defendant is required to sign at the line marked "X." If the defendant refuses, you may charge defendant with refusing to sign. If or when a citation is completed charging the defendant with refusing to sign a citation when requested by a police officer, then the defendant may be placed under arrest in the same manner as, and without more force than in a misdemeanor case.

If the driver has been arrested for a violation of the Motor Vehicle Law (DUI, Suspended, etc.) and refuses to sign the citation(s), he/she cannot be charged for refusing to sign the citation when requested by a police officer. However, if the defendant refused to sign the citations, he/she cannot be released from the police department. The defendant must be presented to a District Court Commissioner.

A defendant's signature is not required when issuing a citation to a defendant who is:

1. Incapacitated or otherwise unable to comply
2. Citation is issued to unattended vehicle for violation under section 21-1003 (parking violation)
3. Citation is issued to unattended vehicle for violation of section 13-402 (parking unregistered motor vehicle)

ACCOUNTABILITY POLICY

The department will exercise control and accountability over all Maryland Uniform Complaint and Citation books issued to officers. In order to account for the state citation books, the accounting procedures described below will be followed.

A. PROCEDURES FOR ISSUING CITATIONS/STORAGE OF CITATIONS

1. Citation books are issued in bulk to the University Police Department upon request

3. The _____ Commander shall log each Maryland citation book on form 052, noting the citations numbers contained therein, and upon issuance to each officer, shall document who received each respective citation book. When the citation book has been completely issued, a new book will be requested of the _____
4. Officers will turn in completed citations to a supervisor by the end of their tour of duty. Supervisors will inspect the citations for legibility and completeness, and will place the issued citations in the report bin located in the Squad Room. Supervisors will pay special attention to the legibility of the issuing officer's signature and identification number.
5. Any issued citation found to be illegible will be returned to the issuing officer for corrective action. Any issued citation found to contain incorrect information will result in notification of same being sent to the issuing officer via the appropriate Supervisor. Disposition of the citation will be done in open court by the State's Attorney.
6. The Administrative Assistant, who handles the Records Section, is responsible for the transmittal of information concerning issued citations between the Police Department and the District Court, and for ensuring that issued citations are promptly forwarded to the District Court.
7. Upon separation from the department, an officer must turn in all assigned citation books to the _____

B. VOIDING A MARYLAND UNIFORM COMPLAINT AND CITATION

1. It is the policy of the department that employees of the department may not void traffic citations unless the procedures outlined in this directive are met.
2. Issued Traffic Citations

The Maryland Transportation Article addresses the disposition of issued traffic citations as follows:

Disposition of citations filed with court -- after the original copy of the traffic citation is filed with the District Court, the citation may be disposed of only by:

- a. Trial, dismissal of the charges, or other official action by a judge of the court;
- b. Forfeiture of the collateral, if authorized by the court; or
- c. Payment of a fine by the person to whom the traffic citation has been issued. (Section 26- 407(c))

"No police officer or other public employee may dispose of a traffic citation, its copies, or the record of the issuance of a traffic citation in any manner other than as required by this section and the rules and regulations adopted by the Administration." (Section 26-407(g)) "In addition to being unlawful, a violation of this subsection constitutes official misconduct. A person may not cancel or solicit another to cancel a traffic citation in any manner other than as provided in this subtitle." (Section 26-408)

C. Disposition of Non-Issued Citations

Once a traffic citation has been completed and issued by an officer it will not be voided by the officer or Police Department representative. If the citation has not yet been issued to the defendant (the defendant may have signed it), the following procedure will be used:

1. The officer will submit a memorandum to the _____ Commander stating the reason for requesting a particular citation be voided. The citation must contain the void date in the "violation date" area, and all officer information must be entered. The officer must sign the

82.3.6 ID Number and Criminal History

The University Police Department's ARMS system generates specific numeric identifiers (arrest numbers) for persons arrested by the agency. All arrest information is captured in the ARMS system and made be queried using the Master Name module.

A. Criminal history record information (CHRI) will not be released by employees except as authorized by statute and related directives.

1. People may inspect their own CHRI maintained by this agency.

2. Attorneys may inspect the CHRI of their clientsm(6(H)-3(RI)-86(o)-2(f)4(-)-86(14(n)5-BDC BT1 0 0 1 72.02