



Helen Police Department

Standard Operating Policies and Procedures

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	Special Instructions:			

I. PURPOSE AND SCOPE

The Records Division is responsible for the records functions that are basic to meeting the management, information, and operational needs of the Helen Police Department. Police Incident and Accident Reports, and Traffic Warnings generated by the Department are the responsibility of Records Division.

The Chief of Police establishes procedures for the review, recording, maintenance, control, and retrieval of records that are the responsibility of the Helen Police Department.

II. ORGANIZATION

The Records Division is directed by the Chief of Police and is made up of civilian personnel assigned to data entry and filing / retrieval functions.

A civilian employee with the title of Records Clerk staffs this unit. The Records Clerk will report directly to the Chief of Police.

III. PROCEDURES

A. Documentation of Police Actions

It is the policy of the Helen Police Department that official records be prepared and maintained to document every reported police activity, whether originated by a citizen or department member. Employees will prepare documentation for the following categories of incidents, which occur in Helen:

- a. Citizen reports of crimes;

- b. Citizen complaints;
- c. All citizen requests for services of the department when an officer is dispatched (this will also include taking reports over the phone or via e-mail in the case of certain crimes such as theft, identity fraud, or when the victim has already left the jurisdiction and it is not feasible to return to file a report in person), an employee is assigned to investigate, or an employee is assigned to take action at a later time;
- d. Criminal and non-criminal cases initiated by or coming to the attention of department personnel;
- e. All auto accidents reported to police; and
- f. Incidents involving arrests, citations, or summonses.

B. Supervisory Report Review

Report review is delegated to and the responsibility of the immediate supervisor of the reporting officer. This review is made to ensure completeness and accuracy of all reports submitted, and that all required reports are completed according to the guidelines of the field reporting system. The supervisor will also check the report for legibility, completeness, and accuracy, and will return unsatisfactory reports to the writer for necessary corrections. When any supervisory officer approves a report, it will be assumed the supervisor is in concurrence with the contents of the report unless notes are made to the contrary. Records will conduct a secondary review of reports to ensure any attachments to the reports are submitted to the proper sections or individual officers in the department.

C. Specific Information for Documenting Police Action

All reports and records maintained to document police activity will contain at a minimum, the following information:

- a. Date and time of the initial report;
- b. Name, if available, of the citizen requesting the service, victim's or complainant's name;
- c. Nature of the incident; and

- d. Date, time, and type of action taken, if any, by law enforcement personnel.

IV. CASE NUMBERING SYSTEM

Each case number is generated by CAD in order to prevent duplication. The case numbers are assigned in sequential numerical order and will have eight (8) alpha-numeric digits and will be in the following format:

1. First two (2) digits will be the year the case number was assigned: "22"
2. Next two (2) digits will be the month the case number was assigned: "01"
3. The remaining four (4) digits will be the next available sequential or consecutive number beginning with "0001"
4. Example: The first case number during 2022 starting at 12:01 AM on January 1, 2022 would be: 22-01-0001, the second case number would be: 22-01-0002, etc.

V. FIELD REPORTING SYSTEM

A. Report Forms

1. Members of the Helen Police Department will use the appropriate report form(s) as indicated by the nature of the incident being reported. The importance of having a well-written and complete report cannot be overemphasized. The police record system depends on the work product of the officer in the field. Forms generally used in field reporting include, but not limited to:
 - a. Incident reports;
 - b. Accident reports;
 - c. Supplemental reports (incident and accident);
 - d. Georgia Uniform Traffic Citations
 - e. Arrest Reports
 - f. Vehicle Impound Reports

B. Incident Reports

1. Incident reports will be completed on criminal acts, as described in the NIBRS Code, which are brought to the attention of an officer and occur within the city, even if the complainant does not wish to file charges or have a report made;
2. Fatal accidents will also be recorded on an incident report if a person is arrested and formally charged in the accident;
3. Incident reports will also be completed to record certain specified types of information of a non-criminal nature;
4. Non-criminal incidents that require an incident report are but are not limited to: suicides, attempted suicides, deaths that are non-vehicular related, missing adults and juveniles, damage to or theft of departmental property.
5. All reports shall be reviewed by the employee's supervisor for completeness. If the report contains traceable information regarding stolen property and/or wanted/missing individuals, the reporting officer/employee shall forward the information to the Communications dispatcher for entry into GCIC files.

The Records Clerk shall review reports to ensure that information required by GCIC, NIBRS or the department's computer system is included in the report.

C. Accident Reports

1. A Georgia Uniform Accident Report will be completed by an officer for accidents involving any of the following:
 - a. Death or injury;
 - b. Property damage or fire;
 - c. Hit and run;
 - d. Impairment due to alcohol or drugs;
 - e. Hazardous materials; and
 - f. Damage to public vehicles or property.

NOTE: All of the above cases occurring on public streets or highways will require an accident report as required in OCGA 40-6-3. Accident reports will be made on private property will be completed on the private property accident form.

2. A Personal Report of Accident form will be given to the parties involved if:
 - a. There is only minor damage to both vehicles and the parties do not wish to have an accident report made;
 - b. A person reports any accident that happened 24 hours or more prior to the time of complaint.

D. Vehicle Accidents Involving Law Enforcement Vehicles

A very close investigation will be made of all circumstances involving vehicle accidents resulting in injury to law enforcement personnel and / or damage to law enforcement vehicles. All such reports will be forwarded to the Chief of Police for review. In instances where law enforcement personnel are held to be at fault, administrative actions will be taken.

The following procedures are to be used in reporting accidents involving law enforcement vehicles:

- a. Notify the Communications Center of the accident, give the location and other pertinent information and request that a supervisor be dispatched to the scene.
- b. Notify White County Sheriff's Office or Georgia State Patrol to conduct the primary investigation. Obtain the case number from the department conducting the investigation.
- c. The shift supervisor shall obtain a copy of the completed accident from the investigating agency.
- d. The shift supervisor will take photographs of the scene and the vehicles involved. If using the digital camera, download the photographs into Records Management prior to the end of the tour of duty.

- e. The officer involved in the accident will complete an incident report in Records Management and the shift supervisor will complete a supplemental in that report as to the actions taken by the supervisor.

E. Supplemental Reports

1. Incident Report Supplemental

A supplemental report will be submitted by the investigating officer when it is necessary to explain, expand, or continue with information from the incident report, or to record important confidential information not contained in the incident report (such as investigative leads, names of suspects, and any unsubstantiated information which could be of investigative use such as intuitions, hunches, possibilities, etc.).

2. Accident Report Supplemental

- a. A Georgia Uniform Accident Report Supplemental will be submitted by the investigating officer when it is necessary to explain, expand, or continue with information from the accident report, or to amend an originally filed report with further information (follow-up information from a hit and run accident, chemical test results, etc.)
- b. Supplemental reports will be printed or written in a neat, legible manner so they can be read without difficulty.
- c. The supplemental report submitted by the reporting / investigating officer will be submitted to the records personnel to be filed with the original case report.
- d. A supplemental report will also be used for an expanded narrative from the case report, if needed. This supplement should be copied and attached to all distribution copies of the report.

F. Georgia Uniform Traffic Citation

1. A Georgia Uniform Traffic Citation is to be completed on all traffic law violations resulting in a traffic citation issued as a summons to appear in court. There are two ways to issue a Georgia Uniform Traffic Citation.

a. Five-part Traditional Georgia Traffic Citation

b. Copies will be distributed as follows:

1. Court Copy (White) – Court Services
2. Department of Driver Services Copy (White) – Court Services
3. Issuing Department Copy (Pink) – Court Services
4. Violator's Copy (Yellow) – Violator
5. Officer's Copy (White) – Retained by the officer for 6 months

c. After being entered into Records Management, the citations will be placed into the citation box in the records clerk's office.

2. E-tickets

These citations are printed in the car at the time the citation is issued and is electronically downloaded into the RMS system. An original citation is printed and signed by the offender and officer and then placed in the citation box in the records clerk's office. An additional copy is printed and given to the violator for the violator's copy.

G. Arrest Report

An Arrest Report will be completed on all individuals who are taken into the custody of the Helen Police Department. This report will be retained in the Records Management System.

H. Vehicle Impound Report

A vehicle impound sheet will be completed every time a vehicle is towed by a member of this department without the consent of the owner of such vehicle. This will be accompanied by an incident report to document the incident.

VI. INTERNAL AND REQUIRED REPORTS

- A. It shall be the policy of the Helen Police Department that administrative reports are to be compiled and distributed to the pertinent personnel and organizational components. These are to facilitate manpower requirements and allocation, managerial strategies, and budget planning. Administrative reports shall be maintained in the Records Management System and shall include but not be limited to, the officer workload report, NIBRS report, and GCIC report and other reports deemed necessary. A supervisor, upon request by the Chief of Police, may complete other miscellaneous reports.
- B. Information required for report purposes shall be gathered, collated, and disseminated through manual and automated mediums. Reports will be generated as dictated by department policy or per feasible request.
- C. The following internal reports shall be completed each month and disseminated to specified areas:
- D. NIBRS Report
1. The Records Clerk shall complete the monthly NIBRS report to GCIC, as required and in accordance with GCIC rules and regulations and Georgia law with the assistance of the Chief of Police.
 2. The monthly report shall include data collected from reports by patrol, selective enforcement, and investigations. Data collected and reported includes NIBRS Part A and Part B crimes, City of Helen ordinance violations, specific traffic violations and related arrest data, property loss and recovery, officer activity information, and incidents of family violence. The information from the computer-generated report is entered into the GCIC Secure Web NIBRS Screens. A copy of the worksheets from which the information was gathered is retained in the NIBRS Report Files in the records clerk's office.
- E. GCIC Validation Report
1. The TAC shall complete the monthly GCIC validation report to GCIC, as required and in accordance with GCIC rules and regulations and Georgia law.
 2. The monthly validation report is done through the GCIC Secure Web at the Validation site. Each month the TAC prints a list of the persons and items being validated by the state off the web site. Letters are sent out to the owners of the stolen property being validated. After the responses are received, the web site is updated to reflect the

appropriate information. If the stolen property cannot be validated it is removed from the GCIC computer unless it is a weapon, in which case it is left on. The list of warrants for the month is also validated for completeness, correctness, and status then updated on the GCIC web.

F. Accident Reports

1. The state Crash Reporting Unit and the county DOT require monthly accident report copies sent via GEARS through the department's RMS.

G. Ticket Tracking

1. Tickets are tracked to be certain that all are accounted for. Each ticket issued whether by computer, as in the e-tickets, or by booklet are checked off after they have been issued.
2. Citations are checked weekly by running a computer report in the Records Management software to show which have been issued. The Court Clerk then reconciles them with the tickets received.

H. Annual Use of Force Report

The Chief of Police prepares the annual National Use of Force Data Collection as required by the Georgia Bureau of Investigation. The report will be completed within the 1st quarter of the Year.

VII. DISTRIBUTION OF RECORDS

- A. Incident reports, accident reports, supplements, etc., are completed in Records Management and are stored electronically. Any hardcopy paperwork, such as Juvenile Complaints, will be forwarded to and stored in the Records Room. Copies of originals or computer printed copies shall be used for working copies. Exceptions are for confidential investigations, until such time as the investigation is completed.
- B. Records will distribute copies of accident and incident reports and supplemental reports daily to other sections, units, or other agencies, as necessary.
- C. Incident and accident report copies may be sold to insurance companies, victims, and other persons with a legitimate interest in the report.

VIII. STATUS OF REPORTS

- A. All incident and accident reports are completed and stored electronically in the Records Management software. Each report is approved by a supervisor. After this review, the copies will be distributed as indicated in this Manual.
- B. All reports are to be completed prior to the end of that officer's tour of duty. Officers that encounter extenuating circumstances that may prevent them from completing the required reports must have a supervisor's approval before ending their tour of duty. Officers who are given approval by a supervisor and are unable to complete a report before the end of their shift shall complete the General, Victim, and Offense tabs in Records Management. Officers are required to return to complete and have approved all unfinished reports within 24 hours.
- C. Every effort will be made to approve reports so they will be available for distribution in three (3) working days.
- D. Report Accounting

The records personnel will check each case number listed and /or generated by the Communications Center, to ensure that the report has been completed.

E. Report Control Audit

- 1. The Chief of Police and the Records personnel will inspect all records on file and conduct an annual audit of the field reporting system and reporting directives to detect the need for changes or improvement to the system. Employees are encouraged at all times to make constructive suggestions for improvements of the reporting system.
- 2. A random inspection of Records files will be conducted to ensure integrity.

IX. PRIVACY AND SECURITY OF RECORDS

Reports in Records will be retrieved and disseminated by employees of the Records Division. No dissemination of criminal / driver history information will be released by the department except in accordance with GCIC rules and regulations.

X. RECORDS RETENTION SCHEDULE

Incident and accident reports will be retained for a period of three (3) years in the current report file room. Reports will then be boxed, labeled, and transferred to the archives' storage. Retention schedules will conform to Georgia State guidelines.

XI. ACCESSIBILITY OF RECORDS

A. Times of Operation

Records will normally operate 8:00 AM to 4:30 PM, daily; excluding weekends and City recognized holidays. Beyond normal working hours, personnel via the department's computer system may obtain computerized reports. If immediate access to reports stored in Records is required, authorized persons listed in this section will be contacted to respond and open the file room.

B. Records Section Physical Security

Unauthorized personnel shall not be allowed access to Records. A key lock controls this room. Computerized printout copies of case files are accessible by officers of this Department through the Department's database computer. Authorized personnel will be limited to:

- a. Chief of Police;
- b. Captain
- c. Records personnel;
- d. Department personnel escorted by any of the above personnel.

XIX. INDEX FILES

A. Records will maintain the reports on computer database and in a numbered and dated order file. The incident reports will provide for the retrieval of the information via computer display and / or physical copy files. All records entered the computer database are tied into a master file name index which will provide rapid retrieval by name of person (arrested, complainant, victim etc.), incident date / time, or case number.

B. Master Name File Index

All reports will use names as a common source of report retrieval. Once a name inquiry is entered into the computer, the system will retrieve and display every case number, date and incident type associated with that name.

C. Report File Index

The offense reports will be indexed in a computerized data file by victim's name, incident location and incident type. The arrest report will be indexed in this file by the arrestee's name. The traffic accident report will be indexed by the driver's name. All victims, arrestees and drivers listed on the reports received will be included in this file.

D. Data File

The data file will also be used by the Records Clerk to generate monthly statistical reports used to complete the Department's monthly UCR Reports.

E. Stolen, Found, Recovered, and Evidentiary property Index

All stolen, found, recovered, and evidentiary property will be recorded in the Records Management System. All reported stolen property that lists the serial number or any other distinctive identifying number will be entered into the National Crime Information Center (NCIC) stolen property file. All property received by the Property and Evidence Custodian is recorded by date in a log maintained in the Records Management software. The attached property receipt with the types of property marked is then filed in the designated storage area. Any property that bears a serial number is checked for stolen by the property custodian before it is released.

F. Arrest Files

An arrest record is made of all persons physically arrested by the Helen Police Department. The arrest report record is maintained on the department's computer system.

G. Warrant and Wanted Persons File

1. Warrants on wanted persons will be maintained in the Communications Center. Court Services does periodic inspections of the maintained warrants. The Communications Center personnel will enter all

Municipal Warrants onto the Georgia Crime Information Center (GCIC) system.

2. Information may be received from other jurisdictions addressing warrants and wanted persons over the telephone or through the GCIC terminal by Teletype. As a general policy confirming information over the GCIC terminal will follow up telephone communications.
3. Information received from other jurisdictions will be verified over the GCIC terminal before an arrest is made of a suspect when the computer indicates an outstanding warrant from another jurisdiction.

XX. RECORDS MAINTAINED OUTSIDE OF THE RECORDS SECTION

Most reports generated by the Helen Police Department personnel are maintained in the Records. Some records, usually of either a confidential nature or containing such information that renders them more appropriately stored in a specific unit or section, are maintained outside of Records. Other reports and records, both official and unofficial, which are maintained by the various components within the police department include, but are not limited to the following:

1. Criminal Investigation Division
2. Active case files and statistics, intelligence files, property and evidence log and files, confidential informant files, Internal affairs files, harassment complaints and use of force reports;

XXI. JUVENILE AND ADULT RECORDS IDENTIFICATION

Records will NOT maintain criminal history records on persons under the age of 17, except those individuals directed by court order to be treated as adults. These records will be maintained in the criminal history file. Arrest reports on juveniles will be titled "Juvenile". Copies of these reports will be furnished to none other than police personnel. Other persons making inquiries about or requesting copies of these reports will be referred to the White County Juvenile Court 59 South Main Street Cleveland, GA 30528 or, for discovery purposes when the Helen Police Department is the keeper of the documents, the Records Clerk.

XXII. UNIFORM CRIME REPORTING (UCR) PROCEDURES

The Records Clerk will review daily all incident reports entered into the computer for the purpose of indexing the file and compiling UCR report data. Records personnel for compilation of the UCR reports will retrieve monthly output from the file for the Department. These completed forms are then submitted to the Georgia Crime Information Center (GCIC) on the appropriate forms.

XXIII. TRAFFIC CITATION ACCOUNTABILITY

- A. All blank traffic citations will be kept in a secure location outside the Sergeant's Office. Officers will be required to log out citation books via a supervisor. Records of the issuance of traffic citation books will be maintained by the supervisors. Officers will be expected to account for all traffic citations issued to them. Any voided, damaged, or otherwise unused traffic citations will be marked, and all copies forwarded to Municipal Court. An incident report will be made on all lost or stolen traffic citations. All dispositions are maintained by Municipal Court.
- B. E-tickets will be issued to officers as needed by the computer in blocks of fifty (50) citations. Records Management will keep track of the citations numbers that are issued to each officer as well as each citation that each officer writes to violators. The police department will keep no paper copy of e-tickets. Municipal Court will retain the original printed and signed e-ticket.

XXIV. DEPARTMENTAL FORMS

It will be the responsibility of the records department or systems administrator to develop, modify and/or initiate the use of forms that are used throughout the department. Components, sections, or units desiring form changes will submit the proposed changes to the Chief's Office for approval. The effected component, section, or unit to ensure that they are consistent with their needs and are not redundant will review new or modified forms. The Chief of Police will approve new or modified forms before their use.

XXV. MONETARY TRANSACTIONS

- A. The City of Helen Police Department shall use all safeguards to assure that all funds received and dispersed by the Department will be properly posted and accounted for and shall be in compliance with the rules and regulations of the City of Helen Finance Department.
- B. Cash Bonds

1. Cash in the exact amount will be the only accepted form of payment by police department personnel.
2. The bonding officer will complete a handwritten HPD receipt and provide the proper copy to the person making the bond.
3. A copy of the receipt and money will be placed in the money envelope and secured in the designated cash bond drobox.
4. Front office personnel shall have the responsibility of securing the money collected and submitting it to City Hall personnel for deposit.

XXVI. CRIMINAL JUSTICE INFORMATION / GCIC / NCIC

- A. Georgia Laws 1973, P. 1314, as amended, provide specific criminal penalties for unlawfully accessing or disseminating Criminal Justice Information (defined in GCIC Council Rule 140-1-.02).
- B. Access to Criminal Justice Information, as defined in GCIC Council Rule 140-1-1.02 (amended), and dissemination of such information is governed by State and Federal Laws and by GCIC Council Rules. Criminal Justice Information cannot be accessed or disseminated by any employee except as directed by superiors or as authorized by approved standardized operating procedures, which are based on controlling State and Federal Laws, relevant federal regulations, and the rules of the GCIC Council.
- C. Computerized criminal history information printouts, and / or originals or copies of any criminal history record information will be obtained only through the Communications Center. Such information will be released only to law enforcement personnel.
- D. Criminal History Record Information (CHRI) consists of an individual's identifiable description, arrests, detentions, indictments or other formal criminal charges, and dispositions of those charges. This information has been collected by criminal justice agencies and may be obtained from Georgia, other states, and Federal agencies.

XXVII. Criminal History Records

- A. The computerized Criminal History files for the state of Georgia are maintained by the Georgia Crime Information Center.
- B. It is a violation of NCIC policy and the GCIC Council Rules to use NCIC (III) criminal history record information for licensing or non-criminal justice

employee checks. NCIC information may only be used for criminal investigations and criminal justice employment.

- C. All requests and responses for Criminal History Record Information (CHRI) that are no longer needed MUST be destroyed by means such as shredding.
- D. All CHRI documents, when not in use, MUST be kept in secured storage.
- E. When a criminal history inquiry for criminal investigation or criminal justice employment is performed, Georgia records and then NCIC records should be checked to determine if the person has a criminal record in another state
- F. Driver's Histories

Drivers' histories will not be released to anyone other than Helen law enforcement personnel and Court Services. This does not prohibit the release of drivers' histories to other criminal justice agencies for official use.

G. Awareness Statement

All personnel must complete required training, sign a GCIC Awareness Statement in accordance with GCIC Rules and Regulations, and provide a copy of the certificate to the department TAC. This statement ensures that all employees are aware of GCIC Rules and Regulations governing privacy and security.

XXVIII. OPEN RECORDS REQUEST PROCEDURE

A. Open Records Act

1. Title 50-18-70, the "Open Records Act", and related subtitles of Georgia law, with certain exceptions, authorizes a personal inspection of public records at a reasonable time and place by any citizen of this state. Generally, both open and closed administrative files as well as closed investigative case files and case reports fall within the definition of public records.
2. No public officer or agency is required to prepare reports, summaries, or compilations not in existence at the time of an Open Records request.

B. Disposition Request/ Closed Cases

1. When an Open Records request is received for a closed case involving a court disposition, the investigating detective will notify his / her supervisor and together will query the appropriate District Attorney's office to determine if a direct appeal is pending, before making a response to the requester.
2. The release of cases under the Public Records Act to defendants is, in fact, discovery, and may not be appropriate should they be granted a new trial. Improper release of documents is minimized until all direct appeal processes have been completed.

C. Request Procedure

1. The law does not require a written request for open records. However, it is advisable to log or attempt to obtain such requests in writing, to eliminate any dispute as to what was requested or when the request was made. Copies of the written request, or a written log should be kept in the incident file as a record of the request and our compliance.
2. The Public Records Act permits the record custodian or investigating detective a reasonable amount of time to determine whether or not the records are subject to public access and to permit inspection and copying. In no event shall this time exceed three (3) business days. Where responsive records exist but are not available within three business days of the request, a written description of such records, together with a time table for their inspection and copying, shall be provided within that period; provided however, that records not subject to inspection under this 50-18-70 need not be made available for inspection and copying or described other than as required by subsection h of 50-18-72, and no records need be made available for inspection or copying if the public officer or agency in control of such records shall have obtained, within that time period of three business days, an order based on an exception in this article of a superior court of this state staying or refusing the requested access to such records.
3. On many of the requests received under the Public Records Act, it may not be clear as to the specific record that is being requested. It is entirely appropriate to ask the individual making the request for specific information regarding the subject or case. Additionally, the requester may be asked to provide documentation of their citizenship in the State of Georgia, i.e., Georgia driver's license, voter registration, etc. A

request to inspect need not be honored in the event the individual making such a request is NOT a citizen of Georgia.

4. Requests for the review of accident reports: (50-18-72,4.1) Individual Georgia Uniform Motor Vehicle Accident Reports, except upon the submission of a written statement of need by the requesting party, such statement to be provided to the custodian of records and to set forth the need for the report pursuant to this Code section; provided, however, that any person or entity whose name or identifying information is contained in a Georgia Uniform Motor Vehicle Accident Report shall be entitled, either personally or through a lawyer or other representative, to receive a copy of such report; and provided further that Georgia Uniform Motor Vehicle Accident Reports shall not be available in bulk for inspection or copying by any person absent a written statement showing the need for such report pursuant to the requirements of this code section.
5. Certain personnel records of individual employees along with related interoffice communications such as performance reports and time sheets may or may not be exempt from public inspection. Requests to examine records of this nature must be promptly forwarded to the office of the Chief of Police or his designee for a response.
6. To prevent mishandling, loss or destruction of records and files, the investigating detective and a supervisor will monitor each inspection of original case files and related materials. Monitoring is not required during the inspection of photocopy records or other non-original documents. The requester will NOT be charged a fee associated with the monitoring of these inspections.
7. A copy of all Open Records requests will be placed in the case file, which was requested. Additionally, a memorandum of record detailing the response to the request, either the denial or the processing of the request, will be placed in the case file. The Administrative Services Commander and investigating detective will advise the Chief of Police of ALL written requests received prior to response. The office of the Chief of Police will handle requests that are denied. If copies of documents are released, a listing of those documents should be incorporated in the memorandum.
8. Georgia law and applicable court decisions provide exemptions to the public inspection and copying of records and files. Such exempted records, information and material are not to be released for public

inspection without the expressed authorization of the Chief of Police or his designee.

D. Exempted Records

1. Prior to opening records for inspection, the Records Clerk will personally review each record being requested under the Public Records Act to determine that the following exempted material is removed or deleted in compliance with Georgia law and the intent of this memorandum.

a. Any record or related material in a pending investigation or prosecution of criminal or unlawful activity.

NOTE: *A prosecution is deemed to be pending until such time as all direct appeals of conviction, including Writs of Certiorari to the U.S. Supreme Court, have been exhausted. Habeas Corpus actions are not considered to be part of the direct appeal process.*

b. Initial police arrest reports, accident reports and incident reports are subject to public disclosure even if they are part of an active or pending investigation. Exempted information contained in the reports is not subject to release.

2. Criminal history record information of persons NOT the subject of the investigation (i.e. witnesses, interviewees) shall not be released. Criminal history record information pertaining to the subject of the investigation is to be released ONLY when the record information directly relates to the activity under investigation.

EXAMPLE: Criminal history information concerning a child molestation arrest for a subject investigated by the Helen Police for burglary is NOT to be released. Information pertaining to a prior burglary arrest could be released.

3. Any record or related material that identifies or tends to identify any confidential source.

4. Any record or related material that would disclose the existence of a confidential surveillance or investigation.

5. Any record or data that identifies investigative techniques, which, if released, might jeopardize the safety of law enforcement personnel or future investigations.

6. Any record or related material that would endanger the life or physical safety of any person or persons.
7. Any record or related material that would divulge technical data related to the description or application of electronic devices used in the interception of wire or oral transmissions. (OCGA 16-11-64.)
8. Any recording, transcript, report, or synopsis containing testimony or information presented before any State or Federal Grand Jury or other court proceeding closed to the general public.
9. Any record or related material concerning reports of child abuse or child-controlled substance / marijuana abuse (OCGA 49-5-40.)
10. Any law enforcement record or related material concerning a juvenile unless a charge of delinquency is transferred for criminal prosecution under Georgia Code Section 15-11-39, or the court otherwise orders in the interest of the child. Information will only be released upon receipt of a written court order authorizing disclosure. (OCGA 15-11-59)
11. Any portion of a record or related material containing information which invades the personal privacy of a person, i.e., information which is unsubstantiated and based on hearsay; information which relates only incidentally to the subject matter of the public record or is remote in time to the events referred to. (Harris v. Cox Enterprises, Inc. 256 Ga 299 (1986)).
12. Any record or related material containing personal or medical information, the disclosure of which would constitute an invasion of personal privacy of a person.
13. Information which identifies individuals who were investigated but not charged with or prosecuted for a crime, as well as information which would prove personally embarrassing to individuals who were not the targets of the investigation. (Napper v. Georgia Television Company 257 Ga 156, 356 SE 2d 640 (1987)).
14. Records or related material that were received from a federal agency unless the principle legal advisor for the federal agency authorizes the disclosure.

15. Any patient information or clinical records received from the Division of Mental Health of the Department of Human Resources. (OCGA 37-3-166).

NOTE: *Requesters of these records will be referred to the DHR facility which provided the records / information to the Helen Police Department.*

16. The name or identity of any female who may have been raped or upon whom an assault to commit the offense of rape may have been made (OCGA 16-6-23).

17. The personal identifying data, excluding names, of witnesses in an investigation.

NOTE: *The names and occupations of witnesses documented in an investigation are subject to disclosure, but not addresses, phone numbers, dates of birth, social security numbers or other personal ID information.*

18. All institutional inmate files and central office files of the Department of Corrections as well as investigative reports and intelligence data prepared by that agency's Internal Investigations Unit. These records are classified as confidential state secrets unless declassified in writing by the Department of Corrections Commissioner (OCGA 25-2-33).

19. Information received by officials and department personnel from any insurance company investigating a fire loss of real or personal property (OCGA 25-2-33).

E. Records Sanitation

1. Records will be sanitized of information exempted from public disclosure as follows:
 - a. Many documents / materials are exempted from release in their entirety and these items may be completely removed from the record. Other documents / materials contain only specific information which is exempted from release. In these instances, a photocopy of the document will be made, and the specific exempted information will be blacked out with a heavy ink marker or erased with a white out pen and a copy made for dissemination.

- b. After the supervisory review and, if appropriate, the removal or deletion of exempted material, the case file may be released pursuant to the Open Records request.
2. To insure that future Open Records requests are met with the same response:

A duplicate copy of the sanitized case file as released will be retained with the original case file; OR the original case file will be replaced in its regular file position in its sanitized fashion and the original file containing exempted material will be placed in a separate folder. This folder will be stamped with the case number, and a large notation "NOT TO BE RELEASED" will be marked on the outside of the folder in black ink to identify it as the exempted material. This folder will be retained behind the sanitized original file.

3. An investigative summary specifying the person(s) who sanitized the case file, and the date will be placed in the original record.

F. Supervision of Process

1. Questions by investigators and / or supervisors concerning the appropriateness of disclosing records or related materials under the Public Records Act will be directed to the office of the Chief of Police or his/her designee.
2. The captain will be responsible for monitoring the preparation of Helen Police Criminal Investigation Division documents and case files under unit control for release under the Public Records Act. The Chief of Police will review all records prior to release to ensure conformity with unit and departmental guidelines.

G. Fees

1. No fees of any type may be charged for personal inspections of public records when NO copies are requested. The costs associated with the search, retrieval and preparation of case files are NOT APPLICABLE when the requester merely reviews the records.
2. When the requester obtains copies of case files, ALL administrative costs associated with the search, retrieval, preparation and reproduction of the case files and records will be charged to the requester. If a requester initially reviews records at no charge, but

later requests copies, this is to be treated as a single transaction and the requester will be charged ALL search, retrieval, preparation and reproduction costs upon receiving the copies.