


<b>POLICY 111.1</b>	<b>RECORDS</b>	
	REVISED: 6/97, 12/01, 01/12, 12/13, 12/14, <b>12/17</b>	RELATED POLICIES: 111.3, 111.4, Records SOP
	CFA STANDARDS:	REVIEWED: As Needed

**A. PURPOSE**

The purpose of this policy is to establish procedures for the maintenance, integrity, and confidentiality of all documentation generated by the Fort Lauderdale Police Department.

**B. POLICY**

It is the policy of The Fort Lauderdale Police Department to function in accordance with the State of Florida’s public record laws to safeguard the criminal investigation activities of the Department and to protect individual privacy on a 24 hour-a-day, 7 day per week basis.

**C. DEFINITION**

§ 119.011 Florida Statute defines “public records” as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

**D. SCOPE**

The Records Division is created to function as the repository of all records collected by the department and to ensure, at a minimum, report accountability, record’s maintenance, and a central point of record retrieval. It is the responsibility of all members to abide by the State of Florida’s public record laws in regards to all documents, reports, and notes they control.

**E. RECORDS DIVISION SECURITY**

1. It is the responsibility of all personnel to be aware of the necessity for security in the Records Unit.
2. The privacy and security of police records and the Records Unit will be in accordance with all state and federal regulations.
3. The security of the Records Unit is the responsibility of the Records Unit Supervisor.

- a. The Records Unit Supervisor, subject to the approval of the Chief of Police, shall establish a Records Unit Standard Operating Procedure to insure the security of all police records in the Supervisor's custody.
- b. All Department personnel shall adhere to the security procedures as established by the Records Unit Supervisor.

**F. RECORDS RETENTION DUTIES**

1. The duties of the Fort Lauderdale Police Department Records Unit includes, but are not limited to:
  - a. Maintenance of uniform crime reporting documents;
  - b. Providing report copies for citizens and police officers; and
  - c. Records processing and maintenance.
2. All department records shall be retained in accordance with the Department of State, Division of Archive and Records Management guidelines.
3. The Records Supervisor is appointed as the Police Department's Records Management Liaison Officer (RMLO) and shall be responsible for liaison with the City's Records Custodian and the State of Florida Division of Archives.

**G. RECORDS DESTRUCTION**

1. §119.021, Florida Statute allows for the disposal of records without sufficient legal, fiscal, administrative or archival value pursuant to retention schedules established by records and the information management program of the Florida Division of Library and Information Services. Such disposal is subject to consent of the division in accordance with § 257.36, Florida Statute.
2. Yearly, each operating unit of the Department shall analyze and evaluate the records it generates and stores to determine what information needs to be purged and destroyed.
3. EACH unit may extract pertinent data for indexing purposes from each report prior to submitting documents for destruction.
4. When records for destruction have been compiled, the units' supervisor (or designee) will contact the RMLO and obtain the State of Florida Records Disposition Document form. This form will be completed by the unit and forwarded to the RMLO; once approved the RMLO will forward to the City's Records Custodian for processing.
5. When permission from the RMLO is received, the unit supervisor will arrange for destruction of the documents.

## **H. ACCESS TO REPORTS**

1. All documents stored within the Department's Records Unit that are public record and otherwise not excluded by State law, are available to citizens for inspection during the normal operating hours of the Records Unit. Copies of documents shall be furnished to citizens upon request. Charges for copies shall be made in accordance with the Records Division Standard Operating Procedure Fee Schedule.
2. All requests for information from Department members, other than those from sworn managers of the rank of Lieutenant or above, shall be initially directed to the Records Supervisor. The Records Supervisor shall review all questionable requests with the Police Legal Advisor prior to completing the request.
3. Police Department employees must be aware that public record exemptions are located throughout the Florida State Statutes. Periodic changes to State laws and regulations regarding the dissemination of police information made or received pursuant to law or ordinance do occur. Police department members who may be in doubt about disseminating information should consult, at a minimum, the following Florida State Statutes:
  - a. Chapter 985.04, Juvenile Records;
  - b. Chapter 119, Public Records; and
  - c. Chapter 281.301, Safety and Security Services.
4. After consulting the above statutes, Department members who are unsure as to whether or not information may be disseminated as a public record, shall contact the Police Legal Advisor for clarification.

## **I. INFORMATION DISSEMINATION NOT PERMITTED**

Information that is not to be disseminated includes, but is not limited to:

1. Florida Criminal Information Center/Federal Criminal Information Center (FCIC/NCIC) Criminal history record information.
2. Juvenile records as specified in Florida State Statute 985.04
3. Refer to Florida State Statute 119, Public Records and 281.301, Safety and Security Services.
4. Criminal investigative information or police reports concerning active cases.
5. Criminal intelligence information or police reports concerning active cases.
6. Crime prevention security surveys.
7. The name, or other identifying information, of a 911 caller.

8. Vehicle accident reports, for sixty days after occurrence, except to the parties involved in the accident and their representatives as defined in State Statute.
9. Sexual battery victims.
10. Child abuse victims.

**J. ARREST RECORD ACCESS AND REVIEW**

1. Any individual, upon request, may review criminal history information that was generated and maintained by this department. Individuals may obtain a copy of their local criminal history. All such requests will be directed to the Records Unit. The individual's right to access and review, SHALL NOT extend to data contained in active intelligence or active investigation files.
2. Non-city maintained criminal history

§ 943.053 Florida Statute provides restrictions on the dissemination of criminal history information obtained from federal criminal justice information systems and other state criminal information system. Therefore this Department cannot honor request for criminal histories other than those initiated by this Department. Persons requesting Florida or national criminal histories will be directed to contact the Florida Department of Law Enforcement (FDLE).

**K. PHOTOGRAPHIC RECORDS**

Photographic records of arrested juveniles shall be maintained separate from adult photographic records in a locked file cabinet in the photo lab.

1. Access to this cabinet shall be controlled by photo lab personnel.
2. After regular business hours, and with authorization from a sergeant or above, a key may be checked out by signing the appropriate key log in Property Control.

**L. JUVENILE ARREST RECORDS**

Juvenile arrest records shall be maintained separately from adult and all other files or reports.

1. Juvenile Arrest Affidavits

Juvenile arrest affidavits shall be kept in a separate lockable file cabinet inside the Records Division. This file shall be kept locked when the Records Division is unmanned.

2. Electronic Juvenile Arrest Records

Electronic juvenile criminal history information is maintained separately from all other electronic files:

- a. A separate numbering system (ie: a letter "J" followed by the juvenile ID number) will be maintained for juvenile arrest records.