



Eric Hawkins
Chief of Police

ALBANY, NEW YORK
POLICE DEPARTMENT
165 HENRY JOHNSON BOULEVARD
ALBANY, NEW YORK 12210



1789

RECORDS ADMINISTRATION
GENERAL ORDER NO: 4.2.00

| | |
|---|--|
| Issue Date: December 4, 2015 | Effective Date: March 1998 |
| Revision Date: N/A | CALEA: 82.1.1, 82.1.2, 82.1.4, 82.1.5, 82.2.2, 82.3.2 |
| Volume 4: Administrative Services Bureau | Chapter 2: Administrative Services |
| Distribution: All Personnel | NYSLEAP: 8.1, 8.5, 8.11 |
| Issuing Authority: Chief Eric Hawkins | Page: 1 of 9 |

PURPOSE: The purpose of this policy is to outline procedures for the review, recording, maintenance, control, retrieval, and dissemination of records which are the responsibility of this department.

POLICY: It is the policy of the Albany Police Department to maintain accurate and complete records, as well as follow all security and access procedures mandated by local, state, and/or federal laws.

DEFINITIONS: **Record** – Record means any information kept, held, filed, produced or reproduced by, with or for an agency, in any physical form whatsoever, including but not limited to: reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations, or codes.

Record Management System (RMS) – Record Management System (RMS) means software designated for the collection and production of reportable offenses, incidents, and statistical data.

Computer Aided Dispatch (CAD) – Computer Aided Dispatch (CAD) refers to software packages that are used to initiate and dispatch public safety calls for service, record call activity, and maintain the status of responding resources in the field.

I. PRIVACY AND SECURITY

- A.** The Albany Police Department will follow all state and federal laws and mandates regarding the security of the records files and computer access.
- B.** Records are maintained by the Administrative Services Bureau (ASB)/Central Records, in compliance with statutes, as a public service, as an investigative and administrative aid, and to provide statistical data. Department records are confidential. Release of these records to any person or agency must follow department policies and procedures.

1. Room Security:

- a.** The ASB/Central Records hours of operation are 08:30 AM to 4:30 PM, Monday through Friday, except holidays - located at 165 Henry Johnson Blvd, Albany Police Department Headquarters.
- b.** During the ASB/Central Records hours of operation, only Central Records personnel are permitted access to records files.
- c.** Any requests for information will be through this channel.
- d.** During non-business hours, no other personnel are allowed access to ASB/Central Record files.

- i.** If access is needed after normal business hours, it shall be the responsibility of the Operations Lieutenant to contact the Administrative Services Bureau (ASB) Lieutenant or the ASB Supervisor.

- e.** When no records personnel are present, the door to the records office shall remain locked.

2. Computer Security:

- a.** The ASB Commander is designated as the system supervisor for the department's computer operations.
- b.** Access to the department Record Management System (RMS) is controlled by the Computer and Technology Unit (CTU) System Administrator, and further controlled by "passwords", which allow and restrain user information. Only authorized personnel will be authorized to enter or modify records information in RMS related to:
 - i.** Traffic summons (UTTs);
 - ii.** General City Ordinances (GCOs);
 - iii.** Arrests/arrest disposition information; and
 - iv.** Albany Police Department Reports (SIRs, DIRs, Accident Reports, and Field Interview Cards).
- c.** CTU is designated as the system security supervisor for the department's computer system, Integrated Justice Portal (IJ Portal), formally known as NYSPIN; which provides this department with access to:
 - i.** Department of Motor Vehicles (DMV);
 - ii.** NYS Police Information System;
 - iii.** Division of Criminal Justice Services (DCJS); and
 - iv.** National Crime Information Center (NCIC).

3. Accessible Records:

- a.** These records will be released only to persons who have a legal or personal interest in the report.

- i. Records shall only be released to complainants, victims, or person reporting.
- ii. Records shall not be released to suspect or arrested persons.
- iii. If the victim is a juvenile, only a parent/legal custodian can obtain a report on their behalf, with proper proof of identification.
- iv. If a lawyer representing a victim/complainant requests records, the lawyer must have a signed retainer letter showing they are representing the victim.

4. Non-Accessible Records:

- a. Detective cases – Active criminal investigations;
- b. Personnel records;
- c. Youthful Offender or A.C.D Adjudications;
- d. F.B.I., State of Criminal History Records; and
- e. Pedigree and address information for juveniles.

5. Calls for Service:

- a. A record for each call for service must include at a minimum:
 - i. The control/incident number;
 - ii. Nature of the call/call types;
 - iii. Date and time of the call;
 - iv. Name(s) of person(s) involved;
 - v. Location; and
 - vi. Action, if any, taken by the agency/clearance code.

6. Index File:

- a. The department maintains records to include, at a minimum:
 - i. Service calls and crimes by type;
 - ii. Service calls and crimes by location; and
 - iii. Stolen, found, recovered, and evidentiary property files.

7. Freedom of Information Law (FOIL):

- a. In order to comply with the "Freedom of Information Law" the following guidelines shall apply; pending further updates and guidance from the Committee on Public Access to Records.
 - i. For those persons wishing to inspect the public blotters in reference to a specific incident, the public blotters shall be available at any time of the day.
 - ii. For persons wishing to inspect the blotters regarding a larger number of items, they shall do so between the hours of 08:00 AM and 4:00 PM, upon making a prior appointment with the officer in charge of the station or unit where the particular

blotter is kept.

iii. Booking records shall be available through the Office of the Chief of Police; Monday through Friday between 09:00 AM – 12:00 PM or between 2:00 PM and 4:00 PM.

a) A record of daily arrests is generated automatically through CTU, which is then published on the department's Facebook page.

iv. All FOIL requests will be channeled through the City Clerk's Office at City Hall. The City Clerk will then direct the request to the appropriate department unit for review, and information released. An answer must be given to such request within twenty (20) days.

b. License Plate Reader (LPR) FOIL Requests

i. Upon receipt of the FOIL request, the Lieutenant of ASB shall verify the requestor has standing to the information. Such as the vehicle is titled or registered to the requestor, or they are a licensed agent of the insurance company to the vehicle.

ii. If standing exists, the request shall be forwarded to ICU for review. ICU shall review the request in order to ascertain if any orders of protection exist or significant history of domestic violence against the requesting party.

iii. ICU shall then forward the information back to the Lieutenant of ASB for review by Corporation Counsel.

iv. Corporation Counsel sends a Consent and Authorization for the Release of City of Albany, New York License Plate Reader Records form, shown on page 9 of this order, to the requestor prior to the information being released.

c. The Albany County Hall of Records has set a policy that pertains to department records in that access to the department records can only be made with the direct permission of the following individuals:

i. Chief of Police;

ii. Deputy Chief;

iii. ASB Lieutenant;

iv. ASB Supervisor;

v. CCCIU Records Coordinator; and

vi. Designated Central Records Personnel.

II. SEALED RECORDS

A. Albany City Court forwards sealed orders to the Forensic Investigation Unit (FIU). FIU shall insure all records marked as sealed are properly updated or handled per specifications in section [160.50](#) and [160.55](#) of the Criminal Procedure Law (CPL).

1. Any record that is marked or indicated sealed, may not be disseminated or information used without a court order.
2. It will be the responsibility of FIU to seal records, in accordance with court directives.

B. Juvenile Records:

1. The Commander of ASB is responsible for the overall supervision of the collection, dissemination, and retention of Standardized Incident Reports that involve juveniles to ensure that the information is recorded and entered into the computer's secured limited access system.
 - a. Once the report is received by Central Records, the report and any supplemental reports are identified as a juvenile record.
 - i. Central Records personnel use a colored sheet of paper with a large J and the incident number written on it.
 - ii. This method is used to distinguish juvenile records and alerts personnel that the case involves a juvenile and is filed separate from adult files.
 - iii. Information is then entered into RMS and secured with limited authorized access.
 - b. All juvenile records are filed separately from other department records and are physically secured with access limited to designated Central Records, CFSU, and FIU, as applicable. This shall include all fingerprint cards, photographs, and other forms of identification.
2. CFSU detectives are responsible for the custody of master files on any Person In Need of Supervision (PINS) or Juvenile Delinquent (JD) petitions.
 - a. Those files will be kept separate from all adult records and in CFSU, where access is limited to the CFSU supervisors and detectives.
3. CFSU detectives, who receive an initial complaint involving a juvenile, will file a written report which shall be processed with normal routing to Central Records.
 - a. If the incident does not require Family Court action, the case will be entered into RMS and secured with limited authorized access.
 - b. If a formal investigation takes place that results in Family Court action, then a juvenile master file shall be made and kept in a separate filing cabinet in CFSU with limited authorized access.
4. The disposal of all juvenile records after reaching adult age will be accomplished, in accordance with guidelines set by the State of New York.
5. Juvenile Records shall be expunged when so ordered by court mandate.

III. NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

- A.** The Albany Police Department shall maintain daily, monthly, and annual activity records.
 - 1.** These records will provide statistical information regarding the daily, monthly, and annual activity of this department.
- B.** Statistical information is provided through the department's computer based Records Management System (RMS). This system provides for statistical information regarding:
 - 1.** Citizen reports of crimes;
 - 2.** Citizen complaints;
 - 3.** Incidents resulting in an employee being dispatched or assigned;
 - 4.** Criminal and noncriminal cases initiated by law enforcement employees; and
 - 5.** Incidents involving arrests, citations, or summonses.
- C.** Statistical information is entered into RMS by Central Records personnel; through data entry of departmental records and traffic ticket information.
- D.** On a monthly basis, **NIBRS** reports are generated to provide statistical information regarding activities of the department, as is required by law.
 - 1.** Statistical information is gathered by the Information Coordination Unit (ICU).
 - 2.** This information is then submitted to the New York State Division of Criminal Justice.
- E.** The Commander of ASB shall monitor the transfer of information from RMS and review the NIBRS prior to submission.
 - 1.** This report will be reviewed and approved by the Chief of Police and forwarded to the Division of Criminal Justice Services (DCJS).
- F.** Annually, ICU will prepare an annual report of all NIBRS information.
- G.** It is the policy of this department to fully participate in the NIBRS on the national and state level.
 - 1.** This information shall be collected and forwarded to ASB/Central Records.
 - 2.** The department shall also participate in the New York State Fingerprint/Criminal History Records System, in accordance with procedures set forth by the New York State DCJS.
 - a.** Refer to section [160.10](#) of the NYS CPL for above.

IV. REPORT ACCOUNTING SYSTEM

- A.** All incidents assigned by the Communications Center and all field initiated

incidents are documented by means of an incident report number. Incident report numbers are automatically generated and audited by the CAD system.

1. If a report requires a follow-up investigation by the reporting officer, the officer will attempt to complete the investigation in a timely fashion.
2. Follow-up reports will be linked to the same incident report number as the original investigation and shall receive the same review process as the preliminary case report.
3. The supervisor of the employee responsible for the completion of a follow-up report shall ensure that it is completed, reviewed, and forwarded (if necessary) in a timely fashion.

B. Follow-up reports handled by patrol personnel shall be completed on either an Investigation Report or Supplemental Report.

1. All additional reports related to the same incident shall be categorized by the same incident number as listed on the original report.

C. Follow-up investigations will be handled by the appropriate detective office.

1. Reports will be assigned according to current directives.
2. Once assigned a case, the assigned detective will have to the end of their next shift to make contact with the victim or complainant in the case.
3. Activity during investigations will be documented on a Case Management Log Sheet and/or an Investigation Report and reviewed by the appropriate detective's supervisor.

D. Once investigations are closed, all reports related to the case, not already filed with ASB/Central Records, shall be filed in accordance with this policy.

V. RECORDS MAINTENANCE

- A.** The [Albany Police Department Report Form Guide](#) is designed to provide members of the Albany Police Department with a concise set of instructions concerning the appropriate use of available forms and the completion thereof.
- B.** The purpose of this report guide, and the system described therein, is to assist the department and its personnel in the collection, analysis, and dissemination of information.
- C.** When a report form and/or procedure described in this report guide is modified, eliminated or revised, each member of the department will be re-issued the updated version of the Report Form Guide via PowerDMS.
- D.** It shall be the responsibility of supervisors, Command Staff and the Office of Professional Standards to insure that the reporting system and requirements are met.
 1. Additionally, it shall be incumbent upon all above listed personnel to make note of any discrepancies, inconsistencies, or potential problem areas with the system.

2. Such discrepancies, inconsistencies, etc., shall be brought to the attention of the Commander of ASB.

E. Central Records/ASB will process and maintain all of the following reports:

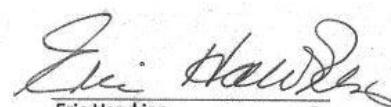
1. Standardized Incident Reports;
2. Arrest reports;
3. Domestic Incident Reports;
4. Property Reports;
5. Accident Reports;
6. Investigation Reports; and
7. Supplemental Reports.

a. This function will not be exclusive to Central Records, as it may be necessary for further units to maintain similar files, including but not limited to;

- i. FIU;
- ii. CIU;
- iii. CCCIU;
- iv. CFSU;
- v. Special Operations;
- vi. Patrol Stations; and
- vii. Fiscal Department.

b. All records shall be maintained in accordance with the records retention disposition schedule issued by the Commissioner of the State Department of Education, [Records Retention and Disposition Schedule MU-1](#), including but not limited to:

- i. Incident and/or crime reports;
- ii. Arrest reports; and
- iii. Traffic accident reports.



Eric Hawkins
Chief of Police

**CONSENT AND AUTHORIZATION FOR THE RELEASE OF CITY OF
ALBANY, NEW YORK LICENSE PLATE READER RECORDS**

Whereas, I (_____), (Date of Birth _____) have caused a request to be submitted to the Records Access Officer for the City of Albany, New York pursuant to New York State Public Officers Law Article 6 (Freedom of Information Law or "FOIL") for access to all data collected through the City of Albany's License Plate Readers ("LPR") for the following vehicle license plate no. (_____) and vehicle registration no. (_____), a copy of which is annexed hereto,

I hereby affirm that I am the owner of the vehicle identified above, and that I consent to the release of any and all license plate reader records associated with the aforementioned vehicle,

Accordingly, I hereby authorize the City of Albany, New York, and all other governmental agencies, bodies and/or employees having custody of all license plate reader records associated with the vehicle identified above to release such records solely into the possession of the undersigned,

I further hereby release and forever discharge the City of Albany, New York, and all past and present officers, directors, managers, administrators, employees, agents, assignees, lessees, and representatives of the City of Albany, New York, from any and all claims, causes of action, suits, debts, sums of money, accounts, controversies, transactions, occurrences, agreements, promises, damages, judgments, executions, and demands whatsoever, known or unknown, by reason of the further release, use, disclosure, distribution and/or dissemination of the aforementioned records subsequent to the possession thereof by the undersigned.

THE UNDERSIGNED HAS READ THE FOREGOING CONSENT AND AUTHORIZATION AND FULLY UNDERSTANDS IT.

IN WITNESS WHEREOF, I have executed this CONSENT AND AUTHORIZATION this ____ day of _____, 20 ____.

(Signature)

STATE OF NEW YORK: COUNTY OF _____ : ss.:

On _____, 20 ___, before me personally came _____, to me known, and known to me to be the individual described in, and who executed the foregoing CONSENT AND AUTHORIZATION, and duly acknowledged to me that (s)he executed the same.

NOTARY PUBLIC