

Law Enforcement Records Function AGENCY SELF-EVALUATION



Law Enforcement Records Function

AGENCY SELF-EVALUATION



Produced by California Commission on Peace Officer Standards and Training (POST)
Management Counseling, Leadership Development Bureau

Foreword by

Robert A. Stresak
POST Executive Director

Law Enforcement Records Management Agency Self-Evaluation

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Standards and Training

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The law enforcement records management function is vital to the criminal justice process. An effective and efficient records management system is a valuable source of relevant information essential to the investigative, arrest, and judicial processes. The failure to manage the records function can affect the successful prosecution of criminal violators, resulting in liability or a loss of public confidence.

The purpose of this self-evaluation is to provide agencies with an effective tool to assist in meeting recommended records management guidelines and to identify areas that may need improvement. It is the intention of the Commission on Peace Officer Standards and Training that the use of this agency self-evaluation, in conjunction with the POST *Law Enforcement Records Management Guide*, will lead to improved management of the agency's records function.

Comments or questions related to information contained in this self-evaluation should be directed to the Management Counseling, Leadership Development Bureau at (916) 227-4800.

ROBERT A. STRESAK

Executive Director

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HOW TO COMPLETE THE AGENCY SELF-EVALUATION

NAVIGATING THE AGENCY SELF-EVALUATION

The Record Function Agency Self-Evaluation is divided into eight chapters, with each chapter pertaining to one of the eight primary categories of the records function:

1. Organizational Considerations
2. Primary Report System
3. Secondary Processes
4. Confidentiality and Release of Information
5. Statistical Reporting
6. Records Retention, Purging, and Destruction
7. Automation of Records
8. Audits

Each chapter is structured to allow an agency to compare its records function against the POST *Law Enforcement Records Management Guide* chapter guidelines, developed in accordance with industry best practices, to standardize records processes and security. Agencies completing the self-evaluation can review the guidelines and compare them against agency directives and practices in the records function.

STEPS

1. Check the applicable “yes” or “no” checkboxes to identify where your agency is or is not meeting the specified criteria for each guideline. Each of the components listed must receive a “yes” indicator in order for the agency to fully meet the standards outlined in the POST *Law Enforcement Records Management Guide*.
2. Complete the follow-up section at the end of each guideline. Space is provided to: **(a)** address any “no” response(s), **(b)** provide additional information or comments, and **(c)** identify applicable written directives by title and number (e.g., general orders, operational orders, policies, or procedures). Use the additional pages located at the end of each chapter to expand comments as needed. Be sure to reference specific section numbers.

If requesting a POST management study of your agency’s records function, after completing the self-evaluation, attach copies of all written directives and forms associated with the records function for submission to the reviewing POST consultant.

Please provide the following information to identify your agency:

Agency Name _____

Address

Street _____

City _____, CA Zip _____

Contact Information

Contact Name _____

Contact Phone (____) _____ Ext _____

Email _____

CHAPTER 1 ORGANIZATIONAL CONSIDERATIONS

PURPOSE

An agency relies on its Records Manager, Records Supervisor, and Records Technicians to correctly maintain security and control in the Records Unit. Each agency has responsibility for the receipt, accuracy, retention, management, release, and disposal of law enforcement records. Proper management, an adequate budget, and initial and ongoing training will enhance the efficiency and knowledge of records personnel.

This chapter addresses:

- 1.1 Organizational Structure
- 1.2 Personnel Assignment and Training
- 1.3 Staff Call-out Procedure and Hours of Operation
- 1.4 Emergency and Disaster Preparedness/Personnel Communications/Duress Alarms
- 1.5 Budget Allocation
- 1.6 Policy and Procedure Development

Guideline 1.1 Organizational Structure

Y N *Is there a written directive outlining the organizational structure of the records function?*

Does it include the following components?

Y N a) Clearly define the chain of command from the agency head down (e.g., Chief, Sheriff, Director, Commissioner)

Y N b) Include the records function in the agency organizational chart

1.1A The agency's organizational chart depicting placement of the records function is attached.

Y N

1.1B Describe the records staff supervisory structure:

1.1C Address any “no” response(s):

1.1D Additional clarifying information or comments:

1.1E Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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_____	_____

Guideline 1.2 Personnel Assignment and Training

Y N *Is there a written directive addressing personnel assigned to the records function?*

Does it include the following components?

Y N a) Identify the Records Manager

Y N b) Identify the Records Manager position as a specialized, mid-management position

Y N c) Outline the desired qualifications, applicable certifications, skills, and duties of the Records Manager, Records Supervisor, and Records Technician

Y N d) Identify initial and an ongoing training plan for all personnel assigned to the records function to ensure they remain abreast of best practices, current laws, and regulations

1.2A Records Manager name, title, duties, and work hours:

Name/Title:

Duties:

Work hours:

1.2B Records Supervisor name, title, duties, and work hours:

Name/Title:

Duties:

Work hours:

1.2C Records Technicians names, titles, duties, and work hours:

1) Name/Title:

Duties:

Work hours:

2) Name/Title:

Duties:

Work hours:

3) Name/Title:

Duties:

Work hours:

1.2D Describe initial and ongoing records staff training:

1.2E Address any “no” response(s):

1.2F Additional clarifying information or comments:

1.2G Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Guideline 1.3 Staff Call-out Procedure and Hours of Operation

Y N *Does a written directive outline the Records Unit staff call-out procedure and hours of operation?*

Does it include the following components?

Y N a) Establish a call-out procedure and process for emergency access to the Records Unit during times when authorized personnel are not available, during non-business hours (e.g., nights, holidays, and weekends), or any time emergency access is needed

Y N b) Establish/publish public hours of operation

Y N c) Establish regular internal hours of operation

1.3A Describe the call-out procedure:

1.3B List the days and hours the records function is open to the public:

1.3C Are the public hours of operation published?

Y N

If so, where?

1.3D List days/hours the records function is open to staff:

1.3E Address any “no” response(s):

1.3F Additional clarifying information or comments:

1.3G Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Guideline 1.4 Emergency and Disaster Preparedness/Personnel Communications/Duress Alarms

Y N Does a written directive outline the procedures to ensure the continuation of the records function in the event of an emergency?

Does it include the following components?

Y N a) Incorporate emergency response procedures into the directive (e.g., response of fire personnel, paramedics, or hazardous materials specialists)

Y N b) Identify an appropriate alternate records storage facility

Y N c) Identify circumstances necessitating the Records Unit evacuation (e.g., fire, flood, earthquake, hazardous material spill)

Y N d) Identify actions necessary for the removal, security, transportation, and relocation of records and personnel in the event of an evacuation

Y N e) Ensure records personnel are supplied with radios and/or personal duress alarms in order to contact/alert Communications Unit staff and supervisors in the event of an emergency

1.4A Describe any personal duress alarms available for use by records personnel:

1.4B Are records personnel provided radios?

Y N

1.4C Address any “no” response(s):

1.4D Additional clarifying information or comments:

1.4E Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 1.5 Budget Allocation

Y N *Is the records function supported by a stand-alone, line item budget?*

1.5A Does the Records Manager/Supervisor have input into the budget for the Records Unit?

Y N

1.5B Address any “no” response(s):

1.5C Additional clarifying information or comments:

Guideline 1.6 Policy and Procedure Development

- Y N *Does a written directive establish a manual outlining the agency policies and procedures regarding the law enforcement records function and incorporate into policy the requirement for an annual review of all agency policies and procedures related to the records function?*

Does it include the following components?

STRUCTURE

- Y N a) General supervision
- Y N b) Duties and responsibilities of the Records Manager/Supervisor
- Y N c) Job descriptions
- Y N d) Specialized training
- Y N e) Access and security of Records Unit
- Y N f) Hours of Operation

RECORDS OVERVIEW

- Y N a) Records storage
- Y N b) Records tracking
- Y N c) Records forms
- Y N d) Records audits and inspections

RECEIPT, STORAGE, SEALING, RETENTION, AND PURGE/DESTRUCTION

- Y N a) Chain of custody
- Y N b) Submission of reports prior to end of officer shift
- Y N c) Receipt of records
- Y N d) Report intake/right of refusal and refusal procedure
- Y N e) Storage of records
- Y N f) Access and security of records (hard-copy and computerized)
- Y N g) Records viewing
- Y N h) Data entry
- Y N i) Records sealing
- Y N j) Retention requirements/records retention schedule

Y N k) Purge/destruction guidelines/procedures

RECORDS RELEASE

Y N a) Disposition guidelines/procedures

Y N b) Court orders/subpoenas

Y N c) Procedures for duplication of records (e.g., discovery requests)

Y N d) Guidelines for the release of records to the public

Y N e) Public/personal safety during records release

1.6A Address any “no” response(s):

1.6B Additional clarifying information or comments:

1.6C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CHAPTER 1: Supplemental Page for Guidelines 1.1 through 1.6

Reference

CHAPTER 2 PRIMARY REPORT SYSTEM

PURPOSE

“Primary report system,” as used in this self-evaluation, begins with a call for service and ends with a decision to destroy/purge or retain specific documents.

The primary report system in a law enforcement agency is the source of the most significant information an agency can generate and maintain. This one system provides a broad base of data from which an agency can gauge its performance at the most basic level.

This chapter addresses:

- 2.1 Elements of Primary Report System
- 2.2 Access to Records
- 2.3 Report Distribution Process
- 2.4 Report Numbering System
- 2.5 Records Maintained in Specialized Units
- 2.6 Forms Control

Guideline 2.1 Elements of Primary Report System

Y N *Does a written directive establish procedures to ensure all of the elements of the primary report system are addressed?*

Does it include the following components?

- Y N a) Initial data recording
 - Y N b) Types of reports (case file reports and incident reports)
 - Y N c) Preparation of reports
 - Y N d) Report review, approval, and correction process
 - Y N e) Report indexing
 - Y N f) Report distribution
 - Y N g) Complaint processing
 - Y N h) Filing
 - Y N i) Purging/destruction
-

2.1A Address any “no” response(s):

2.1B Additional clarifying information or comments:

2.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 2.2 Access to Records

Y N Does a written directive address access to records?

Does it include the following components?

Y N a) Individuals authorized access to the restricted Records Unit

Y N b) Process for controlling access to the restricted Records Unit

Y N c) Procedures to identify all files and their contents

Y N d) Method used to file and retrieve documents

2.2A Identify the individuals authorized access to the restricted Records Unit:

2.2B Describe the key control process for tracking and restricting access to the Records Unit:

2.2C Describe the method used to file and retrieve documents:

2.2D Address any “no” response(s):

2.2E Additional clarifying information or comments:

2.2F Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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_____	_____
_____	_____

Guideline 2.3 Report Distribution Process

Y N Does a written directive establish procedures for a report distribution process?

Does it include the following components?

Y N a) Number of copies sent/needed

Y N b) Timeliness of distribution

Y N c) Quality of reproduction process

Y N d) Time required to prepare report copies

Y N e) Additions/deletions from standard distribution lists

Y N f) Annual audit of the report distribution process

2.3A When was your last audit of the report distribution process?

2.3B Address any “no” response(s):

2.3C Additional clarifying information or comments:

2.3D Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 2.4 Report Numbering System

Y N Does a written directive establish a report numbering system?

Does it include the following components?

Y N a) Provisions for the assignment of a unique number to every report

Y N b) Process to ensure no numbers are omitted or duplicated

Y N c) Identification of any events (e.g., traffic citations) that do not require a report number

2.4A Describe your report numbering system:

2.4B Address any “no” response(s):

2.4C Additional clarifying information or comments:

2.4D Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 2.5 Records Maintained in Specialized Units

Y N Does a written directive specify those records to be maintained in agency specialized units?

Does it include the following components?

Y N a) Case files on active cases

Y N b) Intelligence records (e.g., vice, drug, organized crime)

2.5A Address any “no” response(s):

2.5B Additional clarifying information or comments:

2.5C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 2.6 Forms Control

Y N Does a written directive establish a forms control process?

Does it include the following components?

Y N a) Identification of a Forms Control Custodian

Y N b) Procedure for creating/revising forms

Y N c) Utilization of state and local forms

Y N d) Automated forms management

2.6A Who is your Forms Control Custodian?

2.6B Address any “no” response(s):

2.6C Additional clarifying information or comments:

2.6D Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 2: Supplemental Page for Guidelines 2.1 through 2.6

Reference

CHAPTER 3 SECONDARY PROCESSES

PURPOSE

This chapter addresses secondary processes used in the law enforcement records function.

This chapter addresses:

- 3.1 Alcoholic Beverage Control Notification
- 3.2 Child Abuse Reporting
- 3.3 Citations
- 3.4 Coroner Records
- 3.5 Detention Certificates
- 3.6 Disposition of Arrest and Court Action (Adult and Juvenile)
- 3.7 Elder and Dependent Adult Abuse
- 3.8 Firearms
- 3.9 Field Interview Cards
- 3.10 Fingerprints
- 3.11 Inmate Records
- 3.12 Missing Persons
- 3.13 Photographs
- 3.14 Property
- 3.15 Record Sealing
- 3.16 Registrant Files
- 3.17 Secondhand Dealer and Pawnbroker Licensing and Reporting
- 3.18 Special Incident Reporting Forms for Bombs/Incendiary Devices/Explosives
- 3.19 Subpoenas
- 3.20 Restraining Orders
- 3.21 Vehicles
- 3.22 Warrant Processing

Guideline 3.1 Alcoholic Beverage Control Notification

Does a written directive establish a process for providing notification to the Department of Alcoholic Beverage Control (ABC), within 10 days, of the following:

- Y N a) Arrests for any violation of state, city, or county laws occurring on an ABC-licensed premise, or an immediately adjacent area under the control of the licensee?

- Y N b) Arrest of a licensee occurring on or off the licensed premises, or of any person for illegal sale, manufacture, or possession of alcoholic beverages?

3.1A Address any “no” response(s):

3.1B Additional clarifying information or comments:

3.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.2 Child Abuse Reporting

Y N *Does a written directive detail procedures for child abuse reporting?*

Does it include the following components?

Y N a) Reporting requirements

Y N b) Reporting instructions

3.2A Address any “no” response(s):

3.2B Additional clarifying information or comments:

3.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 3.3 Citations

Y N Does a written directive detail procedures for processing citations?

Does it include the following components?

Y N a) Types of citations

Y N b) Transmittal of citations to court

Y N c) Citation processing

Y N d) Parking citations

Y N e) Voiding moving/parking citations

3.3A Address any “no” response(s):

3.3B Additional clarifying information or comments:

3.3C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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Guideline 3.4 Coroner Records

Y N Does a written directive detail procedures addressing coroner records.

Does it include the following components?

Y N a) Where to maintain coroner records (separate from law enforcement records)

Y N b) Which records become public records and when

Y N c) Which records are not public records

3.4A Where are coroner records maintained?

3.4B Address any “no” response(s):

3.4C Additional clarifying information or comments:

3.4D Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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_____	_____

Guideline 3.5 Detention Certificates

Y N Does a written directive detail procedures for processing detention certificates?

Does it include the following components?

Y N a) When to issue detention certificates

Y N b) Detention when no accusatory pleading is filed

Y N c) DOJ notification of detention only

3.5A Address any “no” response(s):

3.5B Additional clarifying information or comments:

3.5C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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_____	_____
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_____	_____

Guideline 3.6 Disposition of Arrest and Court Action (Adult and Juvenile)

Y N Does a written directive detail procedures for processing adult and juvenile disposition reporting forms?

Does it include the following components?

Y N a) When to initiate form

Y N b) Required information reporting

Y N c) Include form with case documentation

Y N d) Submit form to Department of Justice within 30 days of disposition

3.6A Address any “no” response(s):

3.6B Additional clarifying information or comments:

3.6C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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_____	_____
_____	_____
_____	_____

Guideline 3.7 Elder and Dependent Adult Abuse

Y N Does a written directive detail procedures for processing elder and dependent adult abuse forms?

Does it include the following components?

- Y N a) Name of person making the report
 - Y N b) Name and age of the elder or dependent adult
 - Y N c) Present location of the elder or dependent adult
 - Y N d) Names and addresses of family members or any other person responsible for the elder or dependent adult's care, if known
 - Y N e) Nature and extent of the elder or dependent adult's condition
 - Y N f) Date of incident
 - Y N g) Any other information as requested by the agency receiving the report
-

3.7A Address any "no" response(s):

3.7B Additional clarifying information or comments:

3.7C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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Guideline 3.8 Firearms

Y N Does a written directive detail procedures for entering firearms information into the CLETS (AFS) system?

Does it include the following components?

Y N a) Circumstances necessitating CLETS (AFS) entry

Y N b) Staff responsible for entry

3.8A Address any “no” response(s):

3.8B Additional clarifying information or comments:

3.8C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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_____	_____
_____	_____

Guideline 3.9 Field Interview Cards

Y N Does a written directive detail procedures for processing field interview cards?

Does it include the following components?

Y N a) Filing of hard-copy field interview cards

Y N b) Access to hard-copy field interview cards

Y N c) Retention/destruction of field interview cards

3.9A Address any “no” response(s):

3.9B Additional clarifying information or comments:

3.9C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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_____	_____

Guideline 3.10 Fingerprints

Y N Does a written directive detail procedures for processing fingerprints?

Does it include the following components?

Y N a) Criminal fingerprints

Y N b) Applicant fingerprints

Y N c) Registrant fingerprints

3.10A Address any “no” response(s):

3.10B Additional clarifying information or comments:

3.10C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
_____	_____
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Guideline 3.11 Inmate Records

Y N *Does a written directive establish procedures for the maintenance of inmate records in accordance with state laws and regulations?*

Does it include the following components?

Y N a) Record classification

Y N b) Information to be maintained

3.11A Address any “no” response(s):

3.11B Additional clarifying information or comments:

3.11C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 3.12 Missing Persons

Y N Does a written directive establish procedures for missing person reports?

Does it include the following components?

Y N a) Reporting/time requirements

Y N b) Transmitting reports to California DOJ and NCIC

Y N c) When the missing person is a child under the age of 18

Y N d) When the missing person is an adult

Y N e) Transmitting reports to other jurisdictions

3.12A Address any “no” response(s):

3.12B Additional clarifying information or comments:

3.12C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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_____	_____

Guideline 3.13 Photographs

Y N Does a written directive establish procedures for processing, storing, and distributing photographs?

Does it include the following components?

Y N a) Prisoner photographs (e.g., booking photos, mug shots)

Y N b) Crime scene photographs

Y N c) Registrant and applicant photographs

Y N d) Accident photographs

Y N e) Photograph copies

3.13A Address any “no” response(s):

3.13B Additional clarifying information or comments:

3.13C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.14 Property

Y N Does a written directive establish procedures for the processing of property-related documents by records personnel?

Does it include the following components?

Y N a) Serialized property

Y N b) Property disposition

3.14A Address any "no" response(s):

3.14B Additional clarifying information or comments:

3.14C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.15 Record Sealing

Y N Does a written directive establish procedures for the sealing of adult and juvenile records?

Does it include the following components?

Y N a) Storage

Y N b) Destruction

Y N c) Compliance with legal mandates

3.15A Address any “no” response(s):

3.15B Additional clarifying information or comments:

3.15C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.16 Registrant Files

Y N Does a written directive establish procedures for processing registrant files?

Does it include the following components?

- Y N a) Sex offender registration
 - Y N b) Juvenile sex offender registration
 - Y N c) Arson offender registration
 - Y N d) Narcotic offender registration
 - Y N e) Gang registrants
 - Y N f) Notice of registration requirement
-

3.16A Address any “no” response(s):

3.16B Additional clarifying information or comments:

3.16C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.17 Secondhand Dealer and Pawnbroker Licensing and Reporting

Y N *Does a written directive detail procedures for processing Secondhand Dealer and Pawnbroker Licensing?*

Does it include the following components?

- Y N a) Determining applicant business meets the definition of a secondhand dealer or a pawnbroker under BP 21626 and FC 21000
- Y N b) Providing and accepting applications for a secondhand dealer or a pawnbroker license
- Y N c) Fingerprinting the applicant(s)
- Y N d) Ensuring the pawnbroker applicant files the appropriate financial statement and surety bond with the agency
- Y N e) Collecting and forwarding to DOJ the appropriate application forms and fees
- Y N f) Issuing or revoking a secondhand dealer license or pawnbroker license pursuant to BP 21642 or FC 21301
- Y N g) Maintaining the current license status of all secondhand dealers and pawnbrokers within their jurisdiction
- Y N h) Filing and retaining documents

3.17A Address any “no” response(s):

3.17B Additional clarifying information or comments:

3.17C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.18 Special Incident Reporting Forms for Bombs/Incendiary Devices/Explosives

Y N *Does a written directive require reporting and retaining records reported to the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)?*

Does it include the following components?

Y N a) Reporting activity through the ATF Bomb Arson Tracking System

Y N b) Purging

3.18A Address any “no” response(s):

3.18B Additional clarifying information or comments:

3.18C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.19 Subpoenas

Y N Does a written directive address acceptance of and compliance with subpoenas?

Does it include the following components?

Y N a) Designation of the agency's Custodian of Records and designee

Y N b) Accepting service of a Subpoena Duces Tecum (SDT)

Y N c) Compliance with an SDT

Y N d) Subpoenas for officers and employees

Y N e) Fees for the production of records

Y N f) Fees for appearance

Y N g) Adherence to specific laws and procedures

Y N h) Training

3.19A Address any "no" response(s):

3.19B Additional clarifying information or comments:

3.19C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.20 Restraining Orders

Y N Does a written directive establish procedures for entry of restraining orders?

Does it include the following components?

Y N a) Types of restraining orders

Y N b) Process for timely entries into CLETS

Y N c) Proof of service

Y N d) Maintenance of documents (hard copy or automated)

3.20A Address any “no” response(s):

3.20B Additional clarifying information or comments:

3.20C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.21 Vehicles

Y N Does a written directive establish the process for processing incidents involving vehicles?

Does it include the following components?

- Y N a) Entry/update of the DOJ Stolen Vehicle System
 - Y N b) Notice of Stored Vehicles
 - Y N c) Collection of fees
 - Y N d) Vehicle releases
 - Y N e) Repossession fee
 - Y N f) Private property tows
 - Y N g) Stolen and recovered vehicles
 - Y N h) Training
-

3.21A Address any “no” response(s):

3.21B Additional clarifying information or comments:

3.21C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 3.22 Warrant Processing

Y N Does a written directive establish a process for processing warrants?

Does it include the following components?

- Y N a) Receiving and recording all incoming warrants
 - Y N b) Identifying the location of each warrant
 - Y N c) Identifying the status of each warrant
 - Y N d) Guarding against the loss of any warrant
 - Y N e) Providing a record of the attempts to serve each warrant
 - Y N f) Showing the final disposition of each warrant
 - Y N g) Responding to Serna Motions
 - Y N h) Accepting bail
 - Y N i) Citing and releasing misdemeanor warrants
 - Y N j) Picking up and extraditing prisoners (transportation)
 - Y N k) Returning served/recalled warrants back to court
-

3.22A Address any “no” response(s):

3.22B Additional clarifying information or comments:

3.22C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 3: Supplemental Page for Guidelines 3.1 through 3.22

Reference

CHAPTER 4 CONFIDENTIALITY AND RELEASE OF INFORMATION

PURPOSE

All records have the potential to be accessed by the public; however, agencies are bound by legal requirements to maintain confidentiality under defined circumstances.

This chapter addresses:

- 4.1 Confidentiality of Records
- 4.2 Access to and Release of Agency Records
- 4.3 Information Which Must be Released
- 4.4 Exemptions to the Release of Information
- 4.5 Public Records Act Response Timelines, Refusals, and Fees
- 4.6 Documenting Information Release
- 4.7 Collision Reports Release
- 4.8 Other Information Release
- 4.9 Consequences for the Unauthorized Access of Information

Guideline 4.1 Confidentiality of Records

Y N *Does a written directive define the confidentiality of records in accordance with applicable law?*

Does it include the following components?

Y N a) Compliance with California Public Records Act

Y N b) Exemptions

4.1A Address any “no” response(s):

4.1B Additional clarifying information or comments:

4.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.2 Access to and Release of Agency Records

Y N Does a written directive address access to and release of agency records?

Does it include the following components?

Y N a) Authorized/responsible personnel

Y N b) Access, release, and dissemination procedures

4.2A Address any “no” response(s):

4.2B Additional clarifying information or comments:

4.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 4.3 Information Which Must be Released

Y N Does a written directive identify information which must be released?

Does it include the following components?

Y N a) Calls for service

Y N b) Arrestee information

Y N c) Crime reports

4.3A Address any “no” response(s):

4.3B Additional clarifying information or comments:

4.3C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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Guideline 4.4 Exemptions to the Release of Information

Y N *Does a written directive identify exemptions to the release and dissemination of information?*

Does it include the following components?

Y N a) Compliance with applicable laws and regulations

Y N b) Selective disclosures

4.4A Address any “no” response(s):

4.4B Additional clarifying information or comments:

4.4C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.5 Public Records Act Response Timelines, Refusals, and Fees

Y **N** Does a written directive address compliance with the California Public Records Act?

Does it include the following components?

Y **N** a) Public Records Act timelines

Y **N** b) Refusal to release information

Y **N** c) Fees

4.5A Address any “no” response(s):

4.5B Additional clarifying information or comments:

4.5C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.6 Documenting Information Release

Y N Does a written directive establish procedures for the tracking of released information?

Does it include the following components?

Y N a) Identifying released information

Y N b) Identifying recipient of information

4.6A Address any “no” response(s):

4.6B Additional clarifying information or comments:

4.6C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.7 Collision Reports Release

Y N *Does a written directive address the release of collision reports?*

Does it include the following components?

Y N a) Identifying information to be released

Y N b) Ensuring compliance with legal mandates

4.7A Address any “no” response(s):

4.7B Additional clarifying information or comments:

4.7C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.8 Other Information Release

Y N Does a written directive address the release of miscellaneous information?

Does it include the following components?

- Y N a) Activity logs
 - Y N b) Personnel files
 - Y N c) Background checks
 - Y N d) CLETS
 - Y N e) Licensing/permitting files
 - Y N f) Registrant files
 - Y N g) Citations
 - Y N h) Warrants
 - Y N i) DMV files
-

4.8A Address any “no” response(s):

4.8B Additional clarifying information or comments:

4.8C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 4.9 Consequences for the Unauthorized Access of Information

Y N *Does a written directive indicate the consequences for the unauthorized access of information and the unauthorized dissemination thereof?*

Does it include the following components?

Y N a) Legal sanctions

Y N b) Agency sanctions

4.9A Address any “no” response(s):

4.9B Additional clarifying information or comments:

4.9C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 4: Supplemental Page for Guidelines 4.1 through 4.9

Reference

CHAPTER 5 STATISTICAL REPORTING

PURPOSE

Several elements and methods of statistical reporting apply to law enforcement activities.

This chapter addresses:

- 5.1 Monthly Crime Reporting
- 5.2 Uniform Crime Reporting
- 5.3 Other Mandatory Statistical Reporting
- 5.4 Clery Act Reporting

Guideline 5.1 Monthly Crime Reporting

Y **N** *Does a written directive require the identification and maintenance of records to provide statistical information as required by the Attorney General and legal mandates?*

5.1A Address any “no” response(s):

5.1B Additional clarifying information or comments:

5.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 5.2 Uniform Crime Reporting

Does a written directive require the submission of the following Uniform Crime Reports to the Department of Justice by the 10th business day of each month?

- Y N a) Return A
 - Y N b) Supplement to Return A – Monthly Return of Offenses Known to Police
 - Y N c) Supplementary Homicide Report
 - Y N d) Law Enforcement Officers Killed or Assaulted (LEOKA)
 - Y N e) Monthly Return of Arson Offenses Known to Law Enforcement
 - Y N f) Number of Violent Crimes Committed Against Senior Citizens
 - Y N g) Monthly Report of Domestic Violence-Related Calls for Assistance
 - Y N h) Arson
 - Y N i) Hate Crimes
 - Y N j) Anti-Reproductive-Rights Crimes (ARRC)
-

5.2A Address any “no” response(s):

5.2B Additional clarifying information or comments:

5.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 5.3 Other Mandatory Statistical Reporting

Y N Does a written directive establish procedures for monthly reporting to California DOJ?

Does it include the following components?

Y N a) Monthly Arrest and Citation Register (MACR)

Y N b) Monthly Hate Crime Report

Y N c) Anti-Reproductive-Rights Crimes (AARC)

Y N d) Death in Custody Report

Y N e) Juvenile Detention Report

5.3A Address any “no” response(s):

5.3B Additional clarifying information or comments:

5.3C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 5.4 Clery Act Reporting

**(APPLIES ONLY TO COLLEGES AND UNIVERSITIES PARTICIPATING IN
FEDERAL FINANCIAL AID PROGRAMS)**

Y **N** *Does a written directive ensure the agency complies with reporting provisions of the Clery Act?*

5.4A Address any “no” response(s):

5.4B Additional clarifying information or comments:

5.4C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 5: Supplemental Page for Guidelines 5.1 through 5.4

Reference

CHAPTER 6
RECORDS RETENTION, PURGING, AND DESTRUCTION

PURPOSE

The retention of records required by law to be destroyed exposes agencies to potential civil liability.

This chapter addresses:

- 6.1 Records Retention
- 6.2 Destruction Resolution/Ordinance Preparation
- 6.3 Purge and Destruction of Records
- 6.4 City, County, and State Records
- 6.5 Marijuana Records Destruction

Guideline 6.1 Records Retention

Y N *Does a written directive define record retention protocol?*

Does it include the following components?

Y N a) Complying with legal mandates

Y N b) Complying with agency policy (e.g., records retention schedule)

6.1A Address any “no” response(s):

6.1B Additional clarifying information or comments:

6.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 6.2 Destruction Resolution/Ordinance Preparation

Y N Does a written directive establish a framework for the preparation of a destruction resolution/ordinance?

Does it include the following components?

Y N a) Consider the need for destruction

Y N b) Identify specific records for destruction

Y N c) Identify the method of record storage (electronic or hard copy)

Y N d) Comply with statute of limitations

Y N e) Require authorization of the agency head, city/county counsel, and governing body

6.2A Address any “no” response(s):

6.2B Additional clarifying information or comments:

6.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 6.3 Purge and Destruction of Records

Y N Does a written directive define the process for the purge and destruction of records?

Does it include the following components?

Y N a) Complying with legal mandates

Y N b) Identifying types of documents for purge/destruction

Y N c) Establishing date/method of purge/destruction

Y N d) Updating agency records/databases to reflect purge/destruction

6.3A Address any “no” response(s):

6.3B Additional clarifying information or comments:

6.3C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 6.4 City, County, and State Records

Y N *Does a written directive establish a framework for the destruction of records in accordance with legal mandates?*

Does it include the following components?

Y N a) City records

Y N b) County records

Y N c) State records

6.4A Address any “no” response(s):

6.4B Additional clarifying information or comments:

6.4C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 6.5 Marijuana Records Destruction

Y N Does a written directive outline the procedures to ensure timely destruction of marijuana records in compliance with legal mandates?

Does it include the following components?

Y N a) Adult records

Y N b) Juvenile records

6.5A Address any “no” response(s):

6.5B Additional clarifying information or comments:

6.5C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 6: Supplemental Page for Guidelines 6.1 through 6.5

Reference

CHAPTER 7 AUTOMATION OF RECORDS

PURPOSE

Almost all public safety and allied agencies have some type of an automated records management system (RMS), which usually interfaces with a computer-aided dispatch (CAD) system. RMS typically refers to a computer program (or set of programs) used to track and store records, although some agencies may still be on a paper-based system. Mobile data computers (MDC) linking local CAD and RMS systems to each other as well as to state and local databases, are easing the workload of communications system operators and speeding the flow of information directly to the field officer.

This chapter addresses:

- 7.1 Imaging
- 7.2 Live Scan/CAL-ID
- 7.3 Personnel, Training, and Capital Expenditures
- 7.4 Changes in Workflow and Procedures
- 7.5 Feasibility Study
- 7.6 Protecting Computer Systems Files & Resources

Guideline 7.1 Imaging

Y N *Does a written directive establish that paper documents will be imaged?*

7.1A Address any “no” response(s):

7.1B Additional clarifying information or comments:

7.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 7.2 Live Scan/CAL-ID

Y **N** *Does a written directive require the use of Live Scan technology to transmit fingerprint records to DOJ?*

7.2A Address any “no” response(s):

7.2B Additional clarifying information or comments:

7.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 7.3 Personnel, Training, and Capital Expenditures

Y **N** *Does a written directive require assessment of personnel, training, and capital expenditure needs in relation to obtaining and maintaining an automated records system?*

7.3A Address any “no” response(s):

7.3B Additional clarifying information or comments:

7.3C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 7.4 Changes in Workflow and Procedures

Y N Does a written directive address changes in workflow and procedures when acquiring new technology?

Does it include the routine review of the following elements to maximize the benefits of new technology?

Y N a) Policies

Y N b) Procedures

Y N c) Timetables

Y N d) Methods for processing documents and data

7.4A Address any “no” response(s):

7.4B Additional clarifying information or comments:

7.4C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 7.5 Feasibility Study

Y N *Does a written directive require a feasibility study be conducted considering automation?*

Does the feasibility study process include the following?

Y N a) Form a Feasibility Study Group and Steering Committee

Y N b) Develop a feasibility study plan

Y N c) Build support for the project

Y N d) Select a systems analyst

Y N e) Define objectives of a desired information system

Y N f) Determine present system capabilities and resources

Y N g) Analyze needs

Y N h) Determine resource requirements

Y N i) Assess procurement options (if appropriate)

Y N j) Identify the desired system

Y N k) Prepare a report to the Steering Committee

7.5A Address any “no” response(s):

7.5B Additional clarifying information or comments:

7.5C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 7.6 Protecting Computer System Files and Resources

Y N Does a written directive address protection of computer system files and resources?

Does it include the following components?

Y N a) Back-up procedures for critical systems

Y N b) An alternate secure location to store back-up media off site

7.6A Address any “no” response(s):

7.6B Additional clarifying information or comments:

7.6C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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CHAPTER 7: Supplemental Page for Guidelines 7.1 through 7.6

Reference

CHAPTER 8 AUDITS

PURPOSE

Audits are conducted to identify any weaknesses in a system and to provide the information necessary to take corrective action.

This chapter addresses:

8.1 External Audits

8.2 Internal Audits

Guideline 8.1 External Audits

Y N *Does a written directive establish procedures for complying with audits conducted by federal and state agencies in accordance with applicable laws?*

Does it include the following components?

Y N a) NCIC/CJIS audits

Y N b) DOJ CORI audits

Y N c) FBI audits

8.1A Address any “no” response(s):

8.1B Additional clarifying information or comments:

8.1C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
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Guideline 8.2 Internal Audits

Y N Does a written directive establish an internal audit process?

Does it include the following components?

Y N a) Types of audits

Y N b) Who conducts audits and how often

Y N c) Audit process

Y N d) Written reporting process

8.2A Address any “no” response(s):

8.2B Additional clarifying information or comments:

8.2C Identify applicable written directives by title and number (e.g., general orders, operational orders, policies, procedures):

<u>Title</u>	<u>Number</u>
_____	_____
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CHAPTER 8: Supplemental Page for Guidelines 8.1 through 8.2

Reference