



OFFICE OF THE COUNTY SHERIFF

Montgomery County, Maryland

Darren M. Popkin, Sheriff



GENERAL ORDERS/PERSONNEL PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Security of Criminal Section Records	2.29	12/01/11

Purpose: To establish policy and procedure for the safeguarding and security of agency records. The records security function ensures that proper protection and access to all files and criminal records *are* maintained, which will enhance the management and operational needs of the office. This standard assures compliance with *the Criminal Law Article, the Criminal Procedure Article, and the Criminal Justice Information System (CJIS) law*, thus ensuring effective delivery of the law enforcement service. **(82.1.1)**

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- II. Release of *Adult Criminal* Records
- III. *Release of Juvenile Criminal Records*
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I. Physical Security of Files

- A. *All adult criminal files will be kept in green file folders and stored in a secure location in the Criminal Section under the direct control of the section Lieutenant. The Criminal Section operates 24 hours a day providing access to personnel at all hours. (82.1.1.a, 82.1.1.b)*
- B. *Juvenile criminal records will be kept in a secure location and stored separately from adult criminal records within the Criminal Section under the direct control of the section Lieutenant. Juvenile criminal records must be retained in manila colored files to distinguish them from adult criminal records. (82.1.2.a, 82.1.2.c)*

II. Release of Adult Criminal Records (82.1.1.c)

Criminal section records will be disseminated by the Criminal Section. Prior to information being released, requests will be evaluated *by the Criminal Section Lieutenant*. If the requested information is considered sensitive, then the *Sheriff, Chief Deputy or their designee* will evaluate the request using the following criteria:

- A. A need to know basis has been established by the requesting person or agency.
- B. Criminal history record information, *in computerized or paper form*, will not be disseminated except in accordance with *applicable state and* federal law and regulations. (82.1.7)
- C. Information and files *may* be shared through briefing memos and telephone calls without the need for a formal request.

III. Release of Juvenile Criminal Records (82.1.1.c)

- A. *The following juvenile records may be released by the Criminal Section to law enforcement agencies in compliance with the Department of Juvenile Justice:*
 - (1) *Juvenile Arrest Summaries.*
 - (2) *Criminal Photographs. (mug shots) (82.1.2.b)*
- B. *Requests for juvenile disposition information will be referred to the Department of Juvenile Justice.*

IV. Dissemination of Criminal History Record Information (82.1.1.c, 82.1.7)

- A. It will be the responsibility of each employee to be familiar with the laws and office regulations governing the *use of all computer systems and the* dissemination of any criminal records.
 - (1) *These laws include, but are not limited to, Criminal Law Articles § 7-302, § 8-606 and Criminal Procedure Article § 10-201 through § 10-234.*
 - (2) Unauthorized use of these systems is prohibited and punishable under Maryland law.
 - (3) A copy of the *Information Systems* security form will be executed by all employees *who have NCIC access.*
 - (4) A copy of the appropriate Maryland laws will be given to each employee at the time their *log on ID is provided.*

V. Retention Schedule

All warrant records will remain open until served or countermanded by the Court. Closed warrant files will be retained for a period of 3 years. After 3 years, closed files will be destroyed by shredding. (82.1.2.d, 82.1.3)

Records will be expunged upon order of the Court. (82.1.2.e)

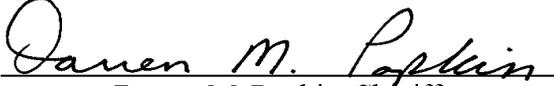
VI. CALEA Standards

82.1.1.a, 82.1.1.b, 82.1.1.c, 82.1.2.a, 82.1.2.b, 82.1.2.c, 82.1.2.d, 82.1.2.e, 82.1.3, 82.1.7

VII. Cancellation

This written directive cancels and replaces General Orders/Personnel Procedures 2.29, effective *05/01/95. Shred replaced directive.*

AUTHORITY:


Darren M. Popkin, Sheriff
12/01/2011