



# Sioux Falls Police Department

Partnering with the community to serve, protect, and promote quality of life!

Policy: <b>Records Control</b>	Related Policies:	Section #: 1300 Records
		Policy #: 1301
		Effective: 4-01-2009
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<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Reference: <i>South Dakota Records Retention Manual</i>		

1. Purpose:

1.1. This policy is created to establish a policy regarding the control and security of law enforcement records and information.

2. Policy:

2.1. Federal and state law closely regulates the collection and dissemination of criminal records information. Any criminal record information, or other confidential criminal justice information that may be contained in the department’s records system, or within Sioux Falls Police Department, shall be confidential and may only be shared with other law enforcement agencies, officers, and/or other individuals in the criminal justice system.

3. Procedure:

3.1. The integrity of reporting and maintenance of accurate, retrievable information is paramount. Official records will not be destroyed without authorization from the Police Chief in accordance with the state’s retention policy.

3.2. All records destruction will follow the guidelines outlined in the City of Sioux Falls Records and Retention Schedule.

3.3. The Records Section shall maintain control of criminal records for use by all divisions and for planning of future operations.

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- 3.4. Reports should be prepared, classified, indexed, and utilized in accordance with procedures specified by the Records Section.
- 3.5. Subpoenas, subpoenas duces tecum requests, or court orders for criminal record information will be processed by the Records Section Supervisor. The City of Sioux Falls Attorney's Office will be contacted for legal advice prior to the release of any criminal record information.
- 3.6. All police department personnel are responsible for the control of records information dissemination.
- 3.7. Requests for criminal record information should be directed to the Records Supervisor, or in his/her absence, the Lead Records Clerk or Assistant Police Chief. All criminal records requests shall be made in writing.
  - 3.7.1. Records requests from non-law enforcement agencies such as the Department of Social Services shall be made in writing to the Records section. The written request should include what reports are being sought and the purpose for which they are required. The Requests can be faxed to the Records section.
  - 3.7.2. If a copy of our records is requested by a law enforcement agency, obtain the purpose of the request. If the request is related to prospective employment, the request shall be forwarded in writing to the Records Section for processing.
- 3.8. No information available on the computer terminals will be given out to the general public, including vehicle registrations.



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<b>Policy:</b> <b>Forms and Reports</b>	<b>Related Policies:</b>	Section #: 1300 Records
		Policy #: 1302
		Effective: 4-01-2009
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<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
<b>Reference:</b>		

1. Purpose:

1.1. This policy establishes policy regarding the proper use of forms and reports commonly used by the department.

2. Policy:

2.1. Members of the Sioux Falls Police Department use a variety of different forms and reports during the course of their duties. These forms are to be complete and accurately reflect the circumstances that the author encounters. Reports are to be completed during the same tour of duty in which the event necessitating the report occurred.

3. Procedure:

3.1. Forms

3.1.1. Most investigative and administrative reports compiled by this department use a specific format. For this reason, the forms have been standardized for use by department personnel.

3.1.2. Originals of these forms are maintained on file in the Records Section by the Records Section Manager.

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- 3.1.3. Any recommendations for new forms, changing existing forms, or discontinuance of existing forms must be presented to the Chief of Police through the chain of command for his approval.

## 3.2. Reports

- 3.2.1. Report forms used by this department are either for operations or administrative purposes. Some require narrative form and others are of the completion or check-off type; i.e., mobile field reporting, to ensure inclusion of certain kinds of information.
- 3.2.2. Since all reports are intended to record information for future use by others, both inside and outside the department, as well as for the author's recollection, care must be exercised to ensure accuracy, clarity, and completeness.
- 3.2.3. To facilitate the use of this information, reports are to be completed before officers complete their tour of duty.
- 3.2.4. All handwritten documents will be completed in black ink.
- 3.2.5. Whenever an adult or juvenile is under custodial arrest, all recorded reports will be recorded priority. Priority recording will also be used in major cases and in cases requiring immediate follow-up.
- 3.2.6. Reports will be checked for accuracy and completeness by a supervisor during each shift. Incomplete, sloppy, or inaccurate reports will be returned for correction.
- 3.2.7. Several types of reports are recorded via telephone rather than completed by hand or computer.
  - 3.2.7.1. Special care should be taken in preparing for the recording of these reports. The information should be complete and presented in a logical fashion. The narrator should speak clearly and distinctly and at a reasonably moderate speed. All proper names shall be complete and shall be spelled out for the word processors. Any special punctuation or paragraphing should be related verbally to the word processor while recording.
- 3.2.8. Administrative reports should be used to facilitate communications within the department and also with outside agencies.
- 3.2.9. Written communications with outside agencies shall be in the department name and identified by the author.

3.2.10. Operational reports are used to record all police action in performance of a service.

### 3.3. Investigative Services Division Specific Forms

#### 3.3.1. Case Status Form

3.3.1.1. To be completed and attached to all cases being sent to the State's Attorney's Office or City Attorney's Office for consideration of criminal charges. The Case Status Form will be routed back to the detective when a decision has been made and attached to the case.

#### 3.3.2. Affidavit in Support of Arrest Warrant

3.3.2.1. A final summary and listing of probable cause to be sent along with the case copy and Case Status Form to the State's Attorney's Office or City Attorney's Office in application for an arrest warrant.

#### 3.3.3. Consent to Search

3.3.3.1. Filled out by the investigating officer, signed and dated by the suspect. It authorizes a warrantless search of a premises or vehicle or other location for specified evidence of a specific crime.

#### 3.3.4. Medical Release Authorization

3.3.4.1. A form authorizing a medical facility to release an individual's medical records pertaining to a specific injury/condition to police for use in a criminal investigation.

#### 3.3.5. Affidavit in Support of Search Warrant

3.3.5.1. A standard format listing probable cause to support the issuance of a search warrant by a Magistrate or Circuit Court Judge for the search of a person, premise, or vehicle for specific evidence of a specified crime.

#### 3.3.6. Search Warrant

3.3.6.1. Actual court order, directed to law enforcement, authorizing the search of a person, premise, or vehicle for specific evidence to aid in the investigation and prosecution of a specified crime.

#### 3.3.7. Return of Search Warrant and Inventory.

3.3.7.1. A complete listing and inventory of items seized pursuant to a search warrant. The return must be signed by a Magistrate or Circuit Court Judge

(preferably the Judge who authorized the warrant) and filed along with the Affidavit and Search Warrant in the Clerk of Court's Office.

### 3.3.8. Motion and Order to Release

- 3.3.8.1. A listing of all property that was seized pursuant to a search warrant and is no longer needed as evidence in any criminal prosecution or the subject of appeal. Must be prepared by the investigating officer and signed by a representative of the State's Attorney's Office and a Magistrate or Circuit Court Judge and filed in the Clerk of Court's Office prior to release of any property that was seized pursuant to a search warrant.

### 3.3.9. Evidence Inventory and Receipt

- 3.3.9.1. Multi-part receipt form to be completed by the investigating officer during the execution of a search warrant on a premises or vehicle that lists all items that were seized. The white original goes to the Police Records Section to be filed with the originals of the Case and Supplement Reports. The yellow copy is left at the scene of the search, or given to the subject of the search. The pink copy is sent to the Crime Lab/Evidence Section along with the items seized. In addition, a copy of the receipt will be made to be kept with the investigator's working file.

### 3.3.10. Stolen Property File

- 3.3.10.1. Blue "Add," "Change," "Delete" Form – Used to add, change, or delete descriptions of stolen property in the computerized file and NCIC. Filled out by the investigator and attached to the case when returned from Metro Communications and entries checked and verified.