General Order 82.3 - Records

PURPOSE: Describe records functions in regards to: restraining orders, journal entries, the Hot Sheet, the Interwatch summary, the Daily Bulletin, the Traffic Bulletin, N.C.I.C. data entry, and auction procedures for sheriff impounds.

DATE OF APPROVAL: 9/15/10
DATE OF ISSUE: 4/20/11
EFFECTIVE DATE: 4/20/11
REVIEW DATE: Annual
AMENDS: 82.3.2, 82.3.4, 82.3.7
THIS ORDER CANCELS: 82.3 Approved 10/16/08
ISSUED BY : Sheriff Jeffrey T. Easter
REVIEWED BY: Standard Review Committee

INDEX AS:

DEFINITIONS:

A. Local Arrest Warrant: Any arrest warrant issued through the 18th Judicial District of Kansas.

B. N.C.I.C.: National Crime Information Center.

C. Non-Local Arrest Warrant: Any arrest warrant not issued through the 18th Judicial District of Kansas.

D. Protection From Abuse (PFA)/ Protection from Stalking (PFS) and No Contacts: An order signed by a judge that restrains one (1) or both parties from interfering with the privacy or rights of each other in any manner.

E. Stolen Vehicles: Includes those motor vehicles taken in auto theft cases, as well as motor vehicles stolen in larceny and burglary cases.

F. S.P.I.D.E.R.: Special police information data entry and retrieval center operated by the Wichita Police Department.

G. Stolen Articles: Includes all stolen items other than vehicles, boats, guns, and license plates.

82.3.1 RESTRAINING ORDERS

A. Any deputy called to enforce a restraining/PFA, PFS, or No Contact order may call the Sedgwick County Sheriff Records Section to confirm whether or not the order has been served on the individual in question.

    1. PFA, PFS, and No Contact orders are delivered daily by the civil section, the domestic courts, and special process servers.

    2. When a deputy calls regarding a PFA, PFS, or No Contact order, records section personnel will examine the order, confirm if it has been served, and, if necessary, read it to the deputy.

    3. PFA, PFS, or No Contact orders are purged by accessing the domestic and civil courts files in the computer or after receiving a dismissal order.

    4. Purged orders are removed from the active file and shredded.

    5. PFA, PFS, or No Contact orders will be filed in thePFA order file by the plaintiff's name.

    6. The records section notifies the civil section sergeant via computer when another law enforcement agency has served a PFA, PFS, or No Contact order.

82.3.2 (R) OPEN

82.3.3 DAILY HOT SHEET

A. The Hot Sheet aids deputies in the identification of stolen vehicles, missing persons, and runaways.

B. Information on the daily Hot Sheet will be added and deleted daily at midnight by the third watch records section personnel.

C. The Hot Sheet is distributed to those agencies, departments, or individuals listed on the Hot Sheet distribution list maintained by the records administrator. The records administrator is responsible for updating the distribution list.

D. The daily Hot Sheet consists of the following information:

    1. Vehicles:

a. Registration tag number;

    b. Vehicle description (make, model, year, and color);

    c. Vehicle identification number;

    d. Case number;

    e. Date the vehicle was stolen;

    f. The location from which the vehicle was stolen;

2. Runaways and missing adults:

    a. Full name;

    b. Race and sex;

    c. Date of birth;

    d. Date runaway left;

    e. Case number;

    f. Location from which the runaway is missing;

    g. A brief description of runaway (e.g., height, weight, hair color, eye color).

3. Persons wanted:

    a. Full name;

    b. Race and sex;

    c. Date of birth;

    d. Full address;

    e. Case number;

    f. Physical description (weight, height, eye color, hair color);

    g. Charge defendant is wanted for;

    h. Mug number (if available);

    i. Name of deputy to contact if located; and

4. B.O.L.O.s;

    a. See 3 above;

    b. Vehicle description (make, model, color, year, and tag);

    c. Any additional information will be included in B.O.L.O.s.

E. Auto theft cases are distributed as follows:

1. The original will be placed in the case jacket.

2. A copy will be placed in the Hot Sheet drawer.

F. Missing person and runaway cases will be distributed as follows:

    1. The original will be placed in the case jacket.

    2. **(R)** A copy will be placed in the Investigations Division mailbox and in the Hot Sheet drawer.

G. When a vehicle has been recovered, the following information will be written by records section personnel on the front of the case jacket and also on the N.C.I.C. stolen vehicle/stolen tag report form (89D062):

    1. Date of recovery;

    2. Location of recovery;

    3. Deputy providing the information; and

    4. I.D. number of records clerk.

H. Copies of the front of the case jacket will be made and placed in the Hot Sheet drawer. The N.C.I.C. stolen vehicle/stolen tag report form (89D062), will be given to the data update clerk for processing.

I. When a runaway/missing person has been located, the following information will be written on the front of the case jacket and the N.C.I.C. missing person/runaway form (90D060):

    1. Date subject was located;

    2. Where the subject was taken;

    3. Deputy providing the information;

    4. Location found; and

    5. I.D. number of records clerk.

J. A copy of the case jacket will be placed in the Hot Sheet drawer and the N.C.I.C. missing person/runaway form (90D060) will be given to the Records clerk assigned to update.

82.3.4 INTERWATCH SUMMARY

A. The Interwatch summary keeps all deputies informed of remarkable crimes and occurrences during the past twenty-four (24) hours. (For release to law enforcement personnel only.)

B. The Interwatch summary is prepared and distributed by the records section. The interwatch summary is maintained for one year, and then destroyed.

C. Items that will be placed on the Interwatch summary are as follows:

    1. All homicides, fatalities, and sudden deaths;

    2. Robberies, rapes, sex offenses, and child abuse cases;

3. All Class I offenses, where a suspect is arrested for a felony charge;

4. Burglaries with a large loss or unusual circumstances;

5. Accidents involving departmental vehicles;

6. Major disturbances;

7. Suspicious character reports;

8. Upcoming training classes; and

9. Items of general interest.

D. Information required for the Interwatch summary includes:

1. Offense classification;

2. Victim's name, age, race, sex, and address;

3. Time and date of occurrence;

4. A brief synopsis of what occurred; and

5. Suspects arrested or involved and description of suspect(s).

E. Oncoming watch supervisors will obtain a copy of the Interwatch prior to respective squad meetings.

F. The Interwatch summary will be distributed to the personnel listed on the distribution list maintained by the records administrator.

82.3.5 DAILY BULLETIN

A. The Daily Bulletin provides a quick review of the activity on each watch, including types of calls, location and times, a brief summary of each, case numbers, and the deputy on the call.

B. The Daily Bulletin is public information.

C. Suspect information should not appear on the Daily Bulletin.

D. Cases involving public offenses committed or alleged to have been committed by a juvenile are to be cut as "confidential juvenile". In these cases, the only information recorded on the Daily Criminal Bulletin is case number, deputy assigned to the case, and beat number.

E. Cases involving child abuse and neglect or sexual abuse (E.M.C.U. cases) are to be cut as "confidential juvenile".

F. Cases involving vice or narcotic incidents are to be cut as "confidential vice" only when specifically authorized.

G. Any case may be cut as "Confidential" if the information contained in the Daily Criminal Bulletin would:

1. Interfere with any prospective law enforcement action;

2. Reveal the identity of any confidential source or undercover agent;

3. Reveal confidential investigative techniques or procedures not known to the general public;

4. Endanger the life or physical safety of any person;

5. Reveal the identity of a fatality victim and the next of kin has not been notified;

6. Disclose the home address or phone number of a deputy;

7. Disclose information contained in an internal affairs investigation; or

8. Reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense.

H. At no time will the result of any chemical test or evaluation, to include passes, failures, and refusals, be placed in the information contained in the Daily Criminal Bulletin, on the case jacket, or on the first page of the Kansas Standard Offense Report.

I. The Daily Criminal Bulletin shall be distributed only to those agencies, divisions, or persons listed on the distribution list maintained by the records administrator.

82.3.6 TRAFFIC BULLETIN

A. The Traffic Bulletin provides a quick review of the activity on each watch, including type of accident, location and times, case synopsis, case number, and deputy assigned to the case.

B. Information in the Traffic Bulletin is public information.

C. The Traffic Bulletin is distributed to those agencies, departments, or individuals listed on the Traffic Bulletin distribution list maintained by the records administrator. The records administrator is responsible for updating the distribution list.

82.3.7 N.C.I.C. DATA ENTRY AND VALIDATION

A. It the policy of the Sedgwick County Sheriff's Office to maintain accuracy and integrity of the N.C.I.C. files for which it is responsible.

B. General procedures for N.C.I.C. entries are as follows:

1. N.C.I.C. entries must be made promptly.

2. Firearms remain in N.C.I.C. indefinitely until recovered.

3. Stolen boat records which contain a BHN (boat hull number) are retained in N.C.I.C. for the balance of the year entered plus 4 years. Following this retention period, the records are retired. For example, a stolen boat record entered in 1996 would be retired on January 1, 2001.

4. Stolen vehicle records which contain a VIN or OAN will remain in N.C.I.C. for the balance of the year entered plus 4 years. Following this retention period, the records are retired. For example, a vehicle record entered in 1996 would be retired on January 1, 2001.

5. A record for a stolen license plate will remain in N.C.I.C. for 1 year after the end of the plates expiration year as shown in the record.

6. N.C.I.C. regulations require that a case file be maintained and be readily accessible for confirmation of any entry in the N.C.I.C. computer.

7. A theft report must be on file for each entry in the N.C.I.C. vehicle file.

8. Missing persons are entered into the N.C.I.C. computer only if they are considered a danger to themselves or others, or if foul play is suspected.

C. General procedures for data entry and quality control on stolen articles and firearms follow:

1. Forms to be used:

   a. 89D066 -- "N.C.I.C. stolen article" form. Form used for entry of articles.

   b. 89D068 -- "N.C.I.C. stolen weapon" form. Form used for entry of firearms.

2. It is the responsibility of the Records Section to complete the appropriate entry form in duplicate on all articles and firearms to be entered into the N.C.I.C. computer system and to forward the form on to the case detective.

3. The records clerk updating the case prepares the entry form and enters all information into N.C.I.C. for stolen property.

4. The entry is verified by a second records clerk by comparing the computer printout to the entry form.

5. The original entry form and computer printout is then filed in the case jacket and a copy is sent to the case detective to file in the case file.

6. If the case detective determines that a modification of the original entry should be made, he/she will note the changes on the form and deliver to the Records Section. The Records Section will make the necessary modifications to the N.C.I.C. record.

D. General procedures for entry of stolen vehicles, license plates, boats, missing persons, and runaways follow:

1. Forms to be used:

   a. 89D067 -- "N.C.I.C. stolen boat" file. Form used for entry of boats.

   b. 90D060 -- "N.C.I.C. missing person/runaway" form. Form used for entry of runaways and missing persons.

   c. 89D062 -- "N.C.I.C. stolen vehicle/stolen tag" report. Form used for entry of vehicles and license plates.

2. The records clerk cutting the case will make the N.C.I.C. entry. An appropriate form is completed and forwarded to the data entry clerk.

3. The records clerk enters the N.C.I.C. number in the computer.

4. The original printout is placed in the case jacket, and the copy is directed to the Investigations Division.

5. It is the responsibility of the case detective to ensure that the item has been entered in N.C.I.C. If the N.C.I.C. number does not appear on the case jacket, the case detective must follow up on the N.C.I.C. entry.

6. If the item has not been entered in N.C.I.C., the case detective will fill out an appropriate N.C.I.C. entry form in duplicate and forward it to the Records Section.

7. The Records clerk compares the entry form information with the case file information and makes the necessary changes in updating the sheriffs records.

8. The Records clerk enters the item into N.C.I.C. and puts the N.C.I.C. number on the entry form. It is verified by a second records clerk.

9. The second clerk will compare the entry form with the printout for accuracy. If there is an error, the clerk will make the necessary correction. If the printout is correct, the clerk updates the records files by entering the N.C.I.C. number. The original entry form and computer printout is then filed in the case jacket and a copy is returned to the case detective to file in the case file.

10. If the case detective determines that a modification of the original entry should be made, he/she will note the changes on the form and deliver it to the Records clerk. The clerk will make the necessary changes into N.C.I.C. and also correct the sheriffs records.

E. Cancellation of entries procedures follow:

1. It is the responsibility of the case detective to remove recovered items from the N.C.I.C. computer by writing "cancel" on the appropriate N.C.I.C. entry form along with initials and the date, and delivering it to the data entry clerk.

2. The Records clerk updates the sheriffs records and the computer.

3. The Records clerk deletes the item from N.C.I.C., stamps it canceled, and files the cancellation printout in the case jacket.

4. The Records clerk updates sheriff's records, the computer, and marks the copy as canceled. The copy is returned to the case detective and the original, along with the cancellation printout, is filed in the case jacket.

F. Procedures for validation of N.C.I.C. entries follow:

1. It is the responsibility of the case detective to periodically validate N.C.I.C. entries to determine that the entry should remain active in the N.C.I.C. computer. Validation is accomplished by reviewing the original entry and current supporting documents and by recent consultation with any appropriate complainant or victim.

a. In the event the case detective is unsuccessful in contacting the victim or complainant, the case detective must make a determination based on the best information and knowledge available whether or not to retain the original entry in the N.C.I.C. file.

2. Validation procedures require that contact with victims must be documented in the appropriate case file with the following information:

   a. Date of contact;

   b. Name of victim or complainant contacted; and

   c. Name of the deputy making the contact.

3. The Kansas Highway Patrol (K.H.P.) distributes a monthly random listing of items entered in N.C.I.C. The listing must be validated and returned to the Kansas Highway Patrol by the specified date.

4. It is the responsibility of the Records Section to coordinate with the case detective to verify the items on the monthly listing.

5. Appropriate sheriffs records and computer information are updated by the Records Section.

G. General procedures for entering arrest warrants

   1. Local warrants

      a. All local arrest warrants are entered in the county computer system by the clerks of the district court.

      b. The Judicial Division receives electronic notification of all local arrest warrants entered into the computer.

      c. For each local felony warrant issued, the Judicial Division also receives the following:

         1. Printout of the warrant screen; and

         2. Printout of the N.C.I.C. entry form.

      d. Upon receipt of the above printouts, the Records clerk will:

         1. Run a III on the subject with complete background check of available records.

         2. Complete the N.C.I.C. entry form.

         3. Enter the warrant into N.C.I.C.

         4. Initiate and maintain a warrant folder containing the warrant screen printout and N.C.I.C. entry form. This folder is to be delivered to the Fugitive Warrant Support Staff.

         5. File the folder in the active warrant file.

H. Procedures for clearing arrest warrants

    1. Local arrest warrants

        b. All local warrants cleared by arrest, recall, dismissal or other disposition are cleared in the county computer system.

        c. Warrants entered only in the county computer system are automatically cleared from the system at the time of clearance and no further action is required.

        d. The Judicial Division receives electronic and/or hard copy notification of all cleared local warrants previously entered into N.C.I.C. Upon notification, the Records clerk will:

            1. Remove the warrant folder from the active file and verify the information.

            2. Remove the N.C.I.C. entry form from the folder, stamp it "CANCEL", and remove the entry from N.C.I.C.

            3. Write or stamp "CANCELED" on the warrant folder and place it in the canceled file.

    2. Non-local warrants

        a. Non-local warrants can be cleared either by arrest and booking in Sedgwick County or by notification from the originating agency.

            1. Upon booking in the Sedgwick County Detention Facility, warrants are electronically cleared from the county computer system by the booking deputy.

            2. When notified by the originating agency to clear a warrant, the Judicial Division data entry clerk will clear the warrant on the county computer.

        b. When non-local warrants are cleared on the county computer system, electronic and hard copy notification will be received by the Judicial Division. Upon notification, the data entry clerk will:

            1. Remove the active warrant folder and verify the information for out-of-state warrants.

            2. Deliver the folder to the extradition deputy.

        c. Removal from N.C.I.C. of information is the responsibility of the originating agency.

I. Arrests made by outside jurisdictions on local warrants

    1. Kansas jurisdictions

    a. When the Judicial Division is notified of an arrest by an outside jurisdiction, the following steps will be taken:

        1. If the warrant screen indicates the warrant has been entered in N.C.I.C., the warrant folder will be removed from the active file, information verified, and the warrant removed from N.C.I.C. as outlined above.

        2. If the person has posted bond to appear in Sedgwick County, Judicial Division personnel will note this in the "special action" field of the warrant screen and clear the warrant from the county computer.

        3. If the person has not posted bond and has no holds by the arresting agency, Judicial Division personnel will note this in the "special action" field of the warrant screen. The warrant remains active in the county computer and the transportation section is notified to arrange for transportation back to Sedgwick County. The warrant is cleared from the county computer upon the person's return to Sedgwick County.

2. Out-of-state jurisdictions

    a. When the Judicial Division is notified of an arrest by an out-of-state jurisdiction, the following steps will be taken:

        1. The warrant folder will be removed from the active file, information verified, and the warrant removed from N.C.I.C. as outlined above.

        2. Note the arrest in the "special action" field on the warrant screen. The warrant will remain active in the county computer system until the person is returned to Sedgwick County or the Judicial Division is notified of other disposition (i.e., recall).

        3. The warrant folder and all other information will be forwarded to the extradition deputy for follow up.

    b. The district attorney or judge of the 18th Judicial District has the final decision regarding the extradition of a wanted person. In the event that the district attorney or judge declines to extradite, the warrant will be removed from N.C.I.C. but will be kept active in the county computer system.

J. N.C.I.C. validation procedure for the warrant section follows:

    1. One (1) supervisor will be assigned as an N.C.I.C. coordinator. All questions relating to N.C.I.C. problems or inquiries will be verified by the assigned coordinator.

    2. The records section will receive the monthly KHP random validation list. Once received the clerk will run a (III) and Drivers Record check, attach and forward them to warrants.

3. The N.C.I.C. coordinator will verify the warrants on the validation list through the district court clerks office records, (FullCourt) and KCJIS.

4. An N.C.I.C. modification worksheet will be completed by the coordinator to ensure all N.C.I.C. data fields are packed and current. The worksheet will be attached to the validation list and returned to the records section for modification.

5. The records section will make the appropriate modifications to warrants on the validation list. Records personnel will attach the modification printout to the validation list and return the packet to the Warrants section.

6. The corresponding validation records including the (III), Drivers Record Check, worksheet, and modification printout will be filed in the warrant folder.

K. A facsimile machine may be used to exchange N.C.I.C. and "Triple I" information, providing that both agencies involved are authorized to receive such information and have valid N.C.I.C. originating agency identifiers (O.R.I.s). Since all facsimile machines are not continually monitored, it is important to notify the receiving agency by telephone that the data is being sent prior to transmitting the information. This helps to ensure the proper receipt of information and also serves to verify the authenticity of the receiving agency.

82.3.8 AUCTION PROCEDURE FOR SHERIFF IMPOUNDS

A. When a vehicle has been impounded, the records administrator will take the information from the impound printout and send a certified letter to the last registered owner. Upon return of the certified card, it will be placed in the case jacket for future reference.

B. When no record of an owner can be found, an inquiry will be sent to the Kansas Motor Vehicle Department (K.M.V.D.), Topeka, Kansas. Upon receipt of the title verification, a certified letter to the last registered owner will be sent if known. If the State shows no record of an owner, the printout will be placed in the case jacket for reference.

C. If the vehicle impounded has an out-of-state tag with no registered owner, an inquiry will be sent to the state in which the tag is registered and to the Kansas Motor Vehicle Department. Upon receipt of the title information, a certified letter will be sent to the owner. All correspondence involving impounded vehicles, including telephone messages, letters and certified mail information, will be placed in the case jacket for future reference.

D. It will be the responsibility of each wrecker company to abide by the State statutes involving the notification of the owners, tag holders, publications, auction of vehicles and affidavits of titles to the buyers of the vehicles.

E. It will be the responsibility of the wrecker company to prepare the vehicles for sale including notification to owners and lien holders, publications, auction of vehicles and affidavits of titles to the buyers of the vehicles.

F. Vehicles impounded to the county yards for evidence processing will be held until the case investigator releases the vehicle.