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## Records Division

### 801.1 CENTRAL RECORDS DIVISION HOURS OF OPERATION

**Agency Content**

Complaint, incident, arrest and original information is kept on file in the Central Records Division in accordance with the New York State Department of Education's Retention Schedule for use by municipalities. Public access to the Central Records Division is available Monday - Friday 0700 -1700. It is closed Saturday, Sunday, and holidays, except for vehicle releases. Central Records Division is accessible to police personnel at all times and shall be staffed 24 hours a day, 7 days a week.

### 801.2 DEFINITIONS

**Agency Content**

**Computer Aided Dispatch (CAD) System** - An automated information system used to receive, dispatch, and track calls for service. At the completion of a call for service, incident information is automatically downloaded to the CHAIRS Incident System. CAD is maintained by the Onondaga County 9-1-1 Communications Control Center.

**Criminal History Arrest and Incident Reporting System (CHAIRS)** - An automated information system used to maintain offense, arrest, incident and reference file databases on a shared, countywide basis. This system allows online index searches, generates incident and arrest batch reports, and interfaces with the e-JusticeNY Integrated Portal. Most police agencies in Onondaga County participate in, and contribute to its database. CHAIRS is administered by a law enforcement users committee and is maintained by Onondaga County Data Processing.

**e-JusticeNY Integrated Portal** - The computerized system administered by joint team led by the New State Police as authorized by the NYS Executive Law sections 217, 218, 219, and 220. The systems included the equipment, facilities, procedures, agreements, and organizations thereof for the collection, processing, preservations, or dissemination of Criminal Justice Information.

**Freedom of Information Law (FOIL)** - Article 6 of the NYS Public Officers Law governing access to public records.

**NCIC** - National Crime Information Center.

**CCN** - Computer Control Number.

**UCR** - Uniform Crime Report.

**ASR** - Age, Sex, Race Report.

**PROMIS** - Prosecutor's Management Information System.

**CCH** - Computerized Criminal History.

**CHRI** - Criminal History Record Information.

**TAC** - Terminal Agency Coordinator.

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**CNYLEADS** – Central New York Law Enforcement Analysis and Database System.

**DCJS** – Division of Criminal Justice Services.

**RICI** – Repository for Integrated Criminalistic Imaging.

**Terminal Operator** - Department personnel who have been trained and tested on the operation, Rules and Regulations, and security of the Statewide Information Sharing Network.

### 801.3 CENTRAL RECORDS DIVISION SECURITY AND PRIVACY

#### Agency Content

All routine business shall be conducted over the Central Records Division Service Counters (Identification Unit & Central Records Division).

Except when permission is granted on an individual basis, or for regular use by certain members of the Department, individuals not assigned to the Central Records Division shall not be permitted to operate photocopying equipment. No personal items are to be copied at any time.

Unauthorized persons shall not be permitted access to Central Records Division files or databases. Members shall comply with the Department's "Information Systems and Computers" policy in this regard.

Entry doors are locked at all times. Authorized personnel have the ability to enter Central Records using their Department issued Access Control cards.

Computer screens must be positioned so the public cannot view them.

### 801.4 RELEASE OF POLICE RECORDS AND INFORMATION

#### Agency Content

The release of reports is limited to the following:

- (a) Arrest Reports - to defendants, their attorneys (with a release), any law enforcement or adjudication agency with a legitimate interest, courts, district attorney, outside law enforcement agencies, or by subpoena.
- (b) Investigation Reports - the victim, police agencies, courts, district attorney, persons with a legitimate interest (insurance, etc.) or by subpoena. Cases under investigation or containing sensitive material may only be released with permission of the Section/ Unit responsible for the case.
- (c) Accident Reports - any person with a legitimate interest.
- (d) Complaint/Information - the person making it, courts, District Attorney, interested governmental agencies, or by subpoena.
- (e) Deposition - the person making it, courts, District Attorney, interested governmental agencies, or by subpoena.
- (f) Affidavit - the person making it, courts, District Attorney, interested governmental agencies, or by subpoena.

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- (g) Police records, or information contained in the files, may be released without fee to all law enforcement agencies, governmental agencies, and university or college security police.
- (h) Any request for the release of police records or information will be governed by the Freedom of Information Act of the State of New York, and the Right to Privacy Act.
- (i) Questionable circumstances over the release of information will be resolved by the Commanding Officer of the Central Records Division. The Commanding Officer may call upon the resources of the Office of the Corporation Counsel (the designated Freedom of Information Officer of the City of Syracuse) to resolve any requests or disputes as to the release of a police record or information contained therein.

#### **801.5 RECEIVING FUNDS FOR REPORT COPIES AND FINGERPRINTING**

##### **Agency Content**

Central Records Division personnel are authorized to receive money for copies of reports and civil fingerprinting. Prior to providing any service, the identity of the requesting person shall be verified. All monies shall be secured in a locked cash box or cash register. If requested, receipts shall be issued to each individual for monies received (e.g. money order, cash). Each receipt shall include:

- (a) Name of recipient.
- (b) Amount of money and service rendered.
- (c) Signature of the receiving person.

In accordance with FOIL, Central Records Division personnel shall collect a fee per face page to cover copying costs when providing individuals copies of police reports or other records released in accordance with law. A fee shall not be charged to government agencies and private social service agencies. The City of Syracuse shall determine fees, to be collected by the Central Records Division, for the following:

- (a) A fee will be collected per fingerprint card.
- (b) A fee will be collected for fingerprinting alarm installer license applications.
- (c) A fee will be collected for fingerprinting license applications.
- (d) A fee will be collected for criminal history requests for governmental employees or out of state requests (e.g. teachers, doctors, etc.).

A schedule of all fees shall be posted in the Central Records Division and shall be updated as required.

#### **801.6 INTERNAL REPORT REPRODUCTION AND ACCESS**

##### **Agency Content**

All reports are reproduced and distributed to various Divisions, Sections, Units or Offices, to retain as permanent records, for information in future follow-up investigations, for general Departmental information, and for examination by superior officers.

Additional Reproductions:

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- (a) Circumstances in any individual case may warrant that additional copies or reproductions should be prepared for distribution or delivery to Divisions, Sections, or Units of the Department not normally interested in a case, or to an agency outside of the Department.
- (b) ous injuries should be referred to the Youth Enforcement Unit.miscellaneAll inquiries involving juveniles either as suspects or victims, except animal bites and
- (c) Arrests or investigations of City employees, military personnel, or Federal employees, require a copy for the respective employer, agency, or school.The Central Records Division will forward this copy.
- (d) Reports of a confidential nature, when so noted on the report shall be reproduced only for the Central Records Division and the Divisions and Sections that require the information.
- (e) Reports containing a notation "No Press" or marked "Sensitive" will not be placed on the media board.
- (f) Reports containing information that involves premises licensed by the ABC Board must have one reproduction forwarded to the New York State Liquor Authority by the Central Records Division.
- (g) Reports concerning injuries sustained on City owned property shall have one extra copy forwarded to the Office of the Corporation Counsel by the Central Records Division.
- (h) Supplemental reports, unless otherwise specified, shall be reproduced as follows:
  - 1. When used as a follow-up report, shall be reproduced only for Central Records Division and copies for the Divisions and Sections that require the information.
  - 2. Supplemental reports merely closing a case pending further information which contain no additional data for indexing will require no reproduction.The original reports will be filed with the respective case.

#### Arrest Reports:

- (a) Upon receipt of the arrest report of an adult prisoner, personnel of the Central Records Division will immediately complete an NCIC and DCJS check on Teletype to determine if the person is wanted by another agency.If there is a "hit" Central Records Division personnel will:
  - 1. Communicate with the originating agency to confirm the warrant and extradition of the subject.
  - 2. Upon confirmation of the "want", the person in custody will be booked on the new charge or warrant.
  - 3. Central Records Division personnel will clear (locate) the arrest to the originating agency.
- (b) Arrest Report Review, Classification and Distribution:
  - 1. The arrest report is reviewed, classified, and copies distributed.The original report is then scanned, indexed, and filed.

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2. The original arrest report is sent to the Records Division where a search of arrest record files is conducted through CHAIRS to ascertain whether or not there is a previous arrest record on the subject, and if the subject is wanted. A search of the e-JusticeNY Integrated Portal is also conducted to ascertain whether or not the subject is wanted in the NCIC/DCJS files.
  3. If the defendant has a previous arrest record on file, the information concerning the new incident will be added to the computer file.
  4. The arrest report copy is sent to the Data Management Section for coding and UCR classification.
- (c) Juvenile Arrest Reports, Reproduction, and Distribution:
1. Central Records Division personnel shall complete an NCIC check for Missing or Wanted on the subject.
  2. Arrest reports on juveniles shall be reproduced and distributed as follows:
    - (a) One copy to the Youth Enforcement Unit, to be filed by juvenile arrest number, and;
    - (b) One copy to the Patrol Services Division, Data Management Section, and Criminal Investigations Division.
    - (c) The original to the Central Records Division, to be filed with the corresponding police investigation.
  3. Juvenile arrest records will be separated from adult records as follows:
    - (a) A juvenile cover sheet will be placed at the front of the juvenile case file.
    - (b) A message box is displayed in CNYLEADS before a juvenile case file is opened which serves as a notification to the user that they are about to access a juvenile record.

### 801.7 REPORT ACCESS UTILIZING CNYLEADS

#### Agency Content

Police investigations, follow-ups, arrests, property reports, accident reports, teletypes, and other reports pertinent to a police investigation written after July 7, 2003 can be viewed and retrieved by authorized personnel within CNYLEADS.

- (a) Reports completed between January 1, 1990 and July 6, 2003 can be viewed in the archived WANG reports which are accessible via a link on the SPDWEB homepage.
- (b) Reports completed prior to January 1, 1990 are stored in a remote, secure facility.
  1. The retention of reports will be determined by the guidelines set forth in the NYS Education Law's Records Retention and Disposition Schedule.

Police reports that are not electronic are classified and scanned by Central Records Division personnel into the CNYLEADS system. As the reports are scanned, they are indexed by the report DR#, date of incident, and incident type (e.g., BURG = Burglary). This allows retrieval of the reports

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by each or all of the aforementioned variables. Authorized personnel may view and/or print reports from within CNYLEADS or the archived WANG reports in SPDWEB.

#### **801.8 CHAIRS INDEXING AND DATA MANAGEMENT**

##### **Agency Content**

Calls for service are recorded and processed through the E911 system. The Criminal History Arrest and Incident Reporting System (CHAIRS) is an automated information system used to maintain arrest, incident and reference file databases on a shared, countywide basis. This system allows online index searches, generates incident and arrest batch reports, and interfaces with the Statewide Information Sharing Network e-JusticeNY Integrated Portal. The following functions related to the Central Records Division are conducted through or maintained within the CHAIRS system:

- (a) Assigns a unique CCN number to all persons arrested.
- (b) Maintains a name index of all persons listed on any report filed with the Central Records Division.
- (c) Indexes all incidents by location and type; as well as property that has been stolen, recovered, stolen & recovered, and recovered firearms.

All calls for services processed are assigned a unique sequential number by the 911 system. The CHAIRS system database maintains information such as date, time, name, address, phone number, personnel assigned to calls, and the police action taken on each call for service. 911 dispatchers are responsible for entering final action codes regarding calls for service into the CAD system. When entered, these final action codes are automatically transferred to the CHAIRS system. When the CHAIRS system reveals that a report was to be completed, but the Central Records Division has not received the report, a missing report form will be generated by the Commanding Officer of the Central Records Division. The missing report notice shall be sent to the Commanding Officer of the person responsible for completing the report. Upon receiving the notice, members shall immediately complete and submit missing reports to their supervisor. The Central Records Division's warrant clerks enter information into DCJS and NCIC on wanted persons and outstanding warrants through e-JusticeNY Integrated Portal.

- (a) The Central Records Division's warrant clerks are responsible for processing all new and executed warrants in the CHAIRS, DCJS, and NCIC systems.

#### **801.9 INCIDENT BASED UNIFORM CRIME REPORTING SYSTEM**

##### **Agency Content**

Information extracted from police reports and entered into the CHAIRS incident system database by Central Records Division personnel is used to produce the Department's Incident Based Uniform Crime Reports (UCR). Personnel as designated by the Central Records Division Commander shall be responsible for processing the monthly UCR report and generating any required supplement reports. Reports shall be reviewed for accuracy by the Data Management

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Section and forwarded to the Commanding Officer for approval. The approved UCR will be submitted to NYS DCJS in accordance with established administrative guidelines.

#### **801.10 REPORTS OF PERSONS POSSESSING NYS PISTOL PERMITS WITH POSSIBLE REVOCATION OR SUSPENSION OF THE PERMIT**

##### **Agency Content**

A copy of each report that includes the fact that a person is in possession of a pistol permit, and each report in which the investigating officer recommends either revocation or suspension of a permit, must be forwarded to the License Section by Central Records Division personnel. It is the responsibility of the Ordinance Enforcement Section to complete all available information on the fitness of the subject to possess such a permit, and to submit a report with recommendations to the Deputy Chief of the Support Services Bureau. The Deputy Chief of the Support Services Bureau shall then call all facts and recommendations to the attention of the Chief County Court Judge for further action.

#### **801.11 NYS DEPARTMENT OF MOTOR VEHICLES (DMV) PHOTO SYSTEM**

##### **Agency Content**

All sworn officers who are authorized users of e-JusticeNY Integrated Portal may access the New York State DMV Photo System suite. The DMV Photo System allows authorized users to directly access the New York State Department of Motor Vehicles' database of digitized photo images obtain a driver's photo. Permissible reasons, "reason code" for requesting a DMV photo image are:

- (a) A criminal investigation where there is an active investigation of a crime or suspected criminal activity, occurring within the jurisdiction of the Syracuse Police Department.
- (b) A warrant investigation where the subject of interest is wanted pursuant to a sworn arrest warrant.
- (c) A witness investigation where the subject of interest is a witness to a crime or suspected criminal activity occurring within the jurisdiction of the Syracuse Police Department and his/her whereabouts are unknown.
- (d) A missing person investigation where the subject of interest is missing due to a crime or suspected criminal activity occurring within the jurisdiction of the Syracuse Police Department.
- (e) A vehicle stop where the subject of interest is a driver not in possession of his/her driver's license, or a driver whose driver's license appears fraudulent.

Photo images obtained from DMV Photo can be used for investigative purposes only, including but not limited to:

- (a) Use in a law enforcement photo arrays when the subject of interest is a suspect in an active/open investigation.
- (b) Use in wanted person posters when the subject of interest is wanted pursuant to a sworn arrest warrant.
- (c) Missing person's posters.

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- (d) Use in press releases when the subject of the request is wanted pursuant to a sworn arrest warrant or is a missing person.

Photo images obtained from DMV Photo shall not be used in the following situations:

- (a) Photo images obtained from DMV Photo shall not be saved in a database or stored in any manner for secondary or subsequent use unrelated to the original active investigation.
- (b) Photo images obtained from DMV Photo shall not be used as fillers in a photo or video array.
- (c) Photo images obtained from DMV Photo shall not be used in more than one investigation. If an individual has been the subject of a previous request to DMV Photo by a sworn officer, a new request must be submitted and properly documented prior to making a subsequent request for the image.
- (d) Officers shall not request a DMV Photo image on behalf of another Law Enforcement Agency, including out of state agencies.
- (e) Photo images obtained from DMV Photo shall not be used in non-active investigations including but not limited to:
  1. Personal use.
  2. Sale, publication, or disclosure for commercial purposes.
  3. Release to the public, unless the release occurs as part of an official law enforcement investigation the subject of interest is wanted pursuant to a sworn arrest warrant or is a missing person.

Officers must provide the following information via e-JusticeNY Integrated Portal in order to obtain a photo image:

- (a) The DR/Case number.
- (b) The full name and client ID number of the person whose image is being retrieved.
- (c) The reason code (e.g. criminal, warrant, witness and missing person investigations or vehicle stops).
- (d) The type of investigation (e.g. Robbery, Assault, Burglary) in the comments field.

DMV photo Destruction Procedures:

- (a) Any time DMV photo information is no longer needed for investigative or prosecution purposes the documents will be secured or properly destroyed as soon as possible.
- (b) Documentation of this securing or destruction shall be made in the official police report/ case report.
- (c) The preferred method of destroying is shredding. This is accomplished by placing all documents in shredders located throughout the building, or placing the documentation in marked secure locking containers to be commercially shredded.

The Central Records Division will be responsible for:

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- (a) Regularly reviewing submissions to DMV Photo to ensure that he requests for photo images are made pursuant to the guidelines set forth in section 6.32 sub B1-5 of this article.
- (b) Retaining all case files corresponding to every request submitted to DMV Photo during for period of five years.
  - 1. The five year retention period commences from the date the DMV photo is requested.
- (c) Complying with DCJS/DMV audits by:
  - 1. Providing all case files corresponding to every request submitted to DMV Photo during the previous five years.
  - 2. Assisting with on-site audits.

Access to the information via DMV Photo is governed under the existing agreements with the State. The DMV information presented is considered “personal information” and must be guarded as such under the provisions of the Driver’s Privacy Protection Act (DPPA) and the New York State Information Security Breach and Notification Act (ISBNA).

#### **801.12 LAWMAN**

##### **Agency Content**

The LAWMAN is an investigative search application, providing ad-hoc search capability against DMV vehicle registration descriptions. The use of LAWMAN data files is limited to assisting police officers in the identification of registered vehicle owners to protect the public, ensure highway safety, and assist in the investigation, detection and prevention of criminal activity.

- (a) The information in LAWMAN is strictly vehicle registration and WILL NOT provide any driver information.
- (b) Authorized search requestors are limited to the role of detective.
- (c) Operators who are given the LAWMAN role will complete requests for those with the role of detective.

The LAWMAN search allows authorized requestors to search partial descriptive information including plates, plate styles, vehicle identification number, make, model, color, registered owner, and owner address.

- (a) DMV Registration Records include all active registration classes (except boats & snowmobiles), expired registrations up to 2 years following the expiration, and surrendered/suspended/revoked registrations up to 2 years after the expiration/inactive date.

All LAWMAN searches must be supported by a “case number”, “description” of what the user is looking for and why (e.g. Drug Investigation, white vehicle in Onondaga County) and “On behalf Of”, the detective’s identity (e.g. name and IBM#). Operators and requestors shall not access the LAWMAN data file on behalf of any other agency including all out of state agencies. Access to the information via LAWMAN is governed under the existing agreements with the State. The DMV

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information presented is considered “personal information” and must be guarded as such under the provisions of the Driver’s Privacy Protection Act (DPPA) and the New York State Information Security Breach and Notification Act (ISBNA).

- (a) Usage of LAWMAN will be audited by DCJS.

The Central Records Division will be responsible for:

- (a) Retaining all case files corresponding to every request submitted to LAWMAN during for period of five years.
  - 1. The five year retention period commences from the date the LAWMAN is requested.
- (b) Complying with DCJS/DMV audits by:
  - 1. Providing all case files corresponding to every request submitted to LAWMAN during the previous five years.
  - 2. Assisting with on-site audits.

### **801.13 VEHICLE REPOSSESSION REPORTS**

#### **Agency Content**

Central Records Division personnel receiving automobile repossession notice shall obtain a copy of the repossession order, or DMV form MV-327 (either is acceptable), from the person seizing the vehicle. Members shall ensure that the paperwork is complete and contains the following vehicle related information:

- (a) Name of the person or company repossessing the vehicle.
- (b) Year, Make, model, style, and color.
- (c) Plate number and state of registration.
- (d) Vehicle identification number.

A case number shall be assigned and noted on the upper right hand corner of the repossession paperwork. The form shall serve as the incident report.

The Central Records Division shall be responsible for:

- (a) Receiving automobile repossession reports.
- (b) Assigning a DR#, when appropriate.
- (c) Maintaining a listing of vehicles repossessed in the City of Syracuse.
- (d) Sending an e-JusticeNY Integrated Portal Repossessed Vehicle Entry (RENT) message to prevent the vehicle being reported as stolen, when appropriate.
- (e) Properly recording and filing vehicle repossession reports.