

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a specific standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/
Approving Deputy Chief: Thomas Robinson /s/
General Order No: E-100-18 Issued: July 1, 2018
General Order Title: RELEASE OF AND ACCESS TO POLICE RECORDS

I. POLICY

Departmental employees are frequently called upon to provide information to other agencies and individuals and to release documents to the public. The Reno Police Department authorizes the release of specific types of information to qualified agencies or individuals.

In conformance with applicable federal law and state statutes, the Reno Police Department Records Section maintains and regulates both the access to and the release of: civil and criminal information; department originated documents, records and data; as well as managing refusals to release of information and records requests.

II. DEFINITIONS

Police Records – Documents and other media originated by the department, including but not limited to case files, court orders, fingerprint information, index cards, jacket files, police reports, warrants and/or computer files containing civil and/or criminal information.

III. RESPONSIBILITIES

A. Custodian of Records Responsibilities – The Records Manager is the designated custodian of records and data for the Reno Police Department, and is responsible for the release of and access to records and data. The Records Manager may delegate release responsibility to specified Reno Police Department employees with approval from the Chief of Police/designee. The Records Manager will ensure that information copied or released pursuant to this order will be in accordance with the applicable law.

B. Reno Police Department Employee Responsibilities – All departmental employees are responsible for maintaining the safety and security of police records and data and may not release information without the appropriate approval. Employees shall adhere to the following:

1. Any Reno Police Department employee who receives a request for the below listed information types, shall refer that request to the Records Section.
2. No Reno Police Department employee may release vehicle registration or driver's license information and will refer any such inquiries to the Nevada Department of Motor Vehicles, except for the exchange of information as a result of a crash.

3. The unauthorized release of records may subject the employee to departmental, civil and/or criminal sanctions.
4. Each Reno Police Department employee with access to restricted information, regardless of rank or assignment, will adhere to the confidentiality requirements of that information in accordance with the applicable general orders and laws.

C. Records Section Responsibilities – Upon receiving a request for Police Records, Police Assistants, assigned to the Records Section are responsible for ensuring that the information requested is:

1. Requested by an agent of a bona fide law enforcement agency, verified by examination of the requestor's agency credentials, or by an authorized signature on agency letterhead or telephonic confirmation directly from the agency.
2. If not requested by a law enforcement agent, a public record in accordance with state law.

Additionally, the Records Section maintains a log of information requests. Following each information request, Police Assistants assigned to Records are responsible for logging:

1. Call number or case number;
2. Name of individual for whom information is requested;
3. Name of individual and name of agency making the request;
4. Applicable signatures of requestor;
5. Method by which request was made;
6. Initials of employee providing information;
7. Date of request and other applicable dates;

IV. PROCEDURES

A. General Release Guidelines – Any request for information for FBI, NCIC, NCJIS, Reno Police Department, and other agency information in the possession of the Reno Police Department will be referred to the Records Section. Unless otherwise specified, the release of records and information originated by other agencies regarding either juveniles or adults is controlled by the originating agency.

The following types of information will only be released in accordance with applicable general orders, statutes, codes and case law:

1. Departmental Arrest Reports Regarding Adults
2. Release of Adult Criminal History Summary Information
3. Release of Juvenile Records and Information
4. Departmental Offense Reports
5. Printed Directives, Training Materials, and General Research and Statistical Reports produced in the Department
6. Criminal Investigations
7. Intelligence Information
8. Digital Records (refer to Digital Records General Order)
9. Body Worn Camera recordings

B. Review of Criminal Records by Subject Offenders – NRS permits those who are, or believe they may be, subjects of a criminal record, to appear in person during normal business

hours and inspect recorded information held pertaining to them. This right of access does not extend to data contained in intelligence, investigative or other related files, and does not include information other than that defined as a record of criminal history.

C. Challenges to Departmental Release Policies or to Content of Records – In the event that persons, including offenders, contest refusals to release reports, information, documents, or other materials discussed in this order, such persons will be referred to the Records Section Manager. The Records Section Manager will review challenges in consultation with the City Attorney's Office.

D. Fee for Furnishing Records – NRS provides that agencies of criminal justice may charge a fee for records requests. Such fees are contained in the Records Section fee schedule.