

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 particular 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: Michael Poehlman /s/		
Legal Advisor: Karen Fraley /s/		
Approving Deputy Chief:		
General Order No: P-330-05	Issued: January 4, 2006	Supersedes: 1/440.000, 5/680.000, 7/120.000
	Reissued:	Revised:
General Order Title: RELEASE OF INFORMATION		

POLICY

Department members are frequently called upon to supply information to other agencies and individuals. The Reno Police Department authorizes the release of specific types of information to qualified agencies or individuals. To aid Department members in determining who may receive information, detailed procedures are maintained which reflect current law and thereby protect the public, the City, and the Department from unauthorized release of information.

The purpose of this order is to set forth policy and procedures regarding the release of summary criminal history information, access to department-originated records and data, and challenges to refusals to release information and records.

PROCEDURES

Custodian of Records

1. The commander or supervisor of each division, section, or unit is the designated custodian of records and data for that unit's files, as well as any information obtained from or transmitted through that unit's terminals.
2. Each custodian of records is responsible for the release of records and information from the unit's files or terminal in accordance with the provisions of this order and superseding legislative changes, if any.
3. Each custodian of records will ensure that computer terminal operators complete only those transmissions they are authorized to make. Release of information logs or other documents or logs must be maintained in such a way that the terminal operator for each transaction printed and disseminated can be identified, unless said logging is accomplished automatically by the computer.

4. Each custodian of records may delegate release responsibility to specified representatives in their unit. Within this General Order, the expression "custodian of records" will be understood to include specified representatives.
5. In the event that a particular type of document is discussed in this General Order, the decision to release or withhold it will be referred to the custodian of records of the unit involved.
6. The unauthorized release of records is contrary to department rules and regulations and may subject the requesting member or employee to department or civil and criminal sanctions.

General Release Guidelines

Requests for FBI, California Department of Justice, Reno Police Department, and other agency rap sheets in the possession of the Department will generally 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. Releases of information regarding:

- Release of Adult Criminal History Summary Information
- Release of Juvenile Records and Information
- Release of Non-Summary Department Reports and Related Reports
- Departmental Arrest Reports Regarding Adults
- Departmental Offense Reports
- Bail Amounts
- Printed Directives, Training Materials, and General Research and Statistical Reports produced in the Department
- Departmental Personnel Records
- Shooting Review Board Reports
- Departmental Investigations of Officer-Involved Homicides
- Criminal Allegations Against Department Members
- Internal Affairs Investigations, and
- Intelligence Information

will be released according to Nevada State Law and the Nevada Administrative Code.

Review of Criminal History Records by Subject Offenders

NRS permits those who are, or believe they may be, subjects of a record of criminal history, 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.

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 custodian of records responsible for that material.

Challenges to Criminal History Summary Information Derived from Departmental Reports

Challenges involving criminal history summary information will be forwarded to the Director of the Department of Motor Vehicles.

Challenges to Information Contained in Departmental Files

Persons, including offenders, who dispute the accuracy of information contained in departmental reports or documents will be referred to the responsible custodian of records.

Log of Dissemination of Records

Information copied or released pursuant to this order will be logged in accordance with NRS.

Fee for Furnishing Records

NRS provides that agencies of criminal justice may charge a reasonable fee for a Nevada records of criminal history furnished to a person or governmental entity except another agency of criminal justice. Fees charged for records of criminal history or another record subject to this order will be listed on the Records Section master fee schedule.

DMV Information

Vehicle registration and driver's license information is not considered to be restricted data. However, the State of Nevada Department of Motor Vehicles has developed procedures for the release of such information to the public. Department members normally will not release vehicle registration or driver's license information and will refer such inquiries to the local office of the DMV.