

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Offense Reports

The Memphis Police Department will protect and defend all persons consistent with current local, state, and federal law and afford all persons justice and the full protection of the law. A police report/investigation is not contingent upon a person's citizenship status or recognizable identification. Memphis Police Officers will take reports of crime that occurred within the City of Memphis from any individuals who need to file them, regardless of their citizenship status.

All individuals, regardless of citizenship, are entitled to basic rights and privileges which are set forth in common law, State and Federal law, and the United States Constitution. In addition, aliens/foreign speaking persons may be entitled to rights and privileges set forth in the Vienna Convention and other international laws. It is the policy of this department to exercise its duties in conformance with all applicable laws, regardless of nationality or racial/ethnic background.

The policy and procedures for reporting crime incidents, arrests and the issuance of summons/citations in lieu of arrest are described in the CompStat/TIBRS Report Manual.

Officers will submit paperless incident reports through Watsons, except for occasions when the Watson Applications are down.

For officers who successfully complete basic police recruit training and enter the Field Training Officer (FTO) Program, the following guidelines will be followed:

1. During Part 1, Phase 1 thru 4, of the Field Training Officer Program, PIIPs will use their FTO's PDA in order to submit reports.
2. The PIIP's name will be in the 'Reporting Officer' block and the FTO name will be listed as "Additional Officer."
3. FTO's will review the reports prior to submission and make notations on the Daily Observation Report (DOR) regarding the PIIP's performance in both using the equipment and their written communication skill.

After successfully completing Part 1 of the Field training Program, PDAs will be issued to PIIPs. P2P's will be notified when their PDA's are available so they can schedule a time for pick-up.

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SECTION: Recovery of Stolen Vehicles

When a vehicle which has been reported stolen is found to be on the lot of a wrecker company repair shop, or other related places of business, the owner or manager of the subject business will be asked to voluntarily release the vehicle to the true owner. Any deviation, such as towing in connection with an unrelated crime, etc., will be at the direction of a supervisor on the scene. All charges for towing, storage, etc., will be a matter to be settled between the garage keeper and the owner after the vehicle is returned to the owner.

In the event the garage keeper will not voluntarily relinquish the vehicle to the true owner, application for a search warrant is to be made while the premises is secured as to the stolen vehicle. After the search warrant is obtained, the vehicle will be towed to the City lot and subsequently returned to the owner. However, the Attorney General's Office should, in all cases, be notified via the Vehicle Theft Squad, if it appears there is a case to be made against the garage keeper for auto theft, receiving and concealing, aiding and abetting, etc. If the Attorney General's Office is willing to present the matter to the Grand Jury, the case should be written up for indictment by the Vehicle Theft Squad. If a vehicle is located on a private storage lot and it is established through NCIC that the vehicle is stolen, it is to be removed from NCIC by a member of the Memphis Police Department only after it has been placed in the custody of the owner or taken to the City Vehicle Storage facility.

*** The Vehicle Storage Lot is located at 465 Klink Avenue, on the west side of the old International Harvester Plant. The phone number is 353-8200.**

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SECTION: Shoplifting Reports

The uniform procedure for making Offense Reports on Shoplifting is as follows:

1. In all misdemeanor Shoplifting cases handled by Uniform Patrol, where an Arrest Ticket, Juvenile Summons or Misdemeanor Citation is executed, it is necessary for the officer(s) to file an Offense Report.

Arrest Ticket must include all data pertinent to the physical arrest, i.e., complete names, addresses, victim, dates, times, places, phone numbers, statements, property, and its value etc.

2. In cases where a Shoplifting offense is a felony, a "Larceny/Shoplift" Offense Report will be filed.

*** The proper charge will be "Theft of Property - Conduct Involving Merchandise Over \$500".**

3. Property that is evidence in shoplifting cases is to be left with the store. If a felony charge is going to be placed by the arresting officer, then CSI should be called to take photographs of the evidence.

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SECTION: Missing Persons Reports

It is the policy of the Memphis Police Department to accept and report all missing person complaints (adult or juvenile) when received regardless of the length of absence of the missing person.

In any circumstance where it appears that foul play may be involved (murder/kidnapping), the responding/reporting officer will notify their supervisor immediately and that supervisor will immediately notify the appropriate bureau by phone so that an investigation can begin as quickly as possible.

Special caution should be taken in cases involving young children, which might require a City Watch or Amber Alert. **TBI mandates that missing juveniles MUST be entered into N.C.I.C. within two hours from the time the complainant notifies the department of the missing child.** By FBI standards for missing persons reports, a juvenile is anyone under the age of (21) twenty-one years. It will also be the reporting/responding officer's responsibility to insure that the necessary radio broadcasts are put out on the missing person. A supervisor must be notified if the child is under the age of 13.

When a reporting/responding officer arrives on the scene of a missing person call (adult or juvenile) that officer shall:

1. Obtain as much of the following initial information on the missing person as possible:
 - a. Emergency contacts: phone numbers of family or friends that the victim would contact.
 - b. Physical description (Age, race, sex, height, weight, hair and eye color, SMTs).
 - c. Description of clothing worn when last seen.
 - d. Time and place last seen.
 - e. Vehicle information, if any.
 - f. Direction of travel.
 - g. With whom the victim may have been traveling.
 - h. The general circumstances of the disappearance.
 - i. Special medical needs.
2. Take an incident report.
3. If the missing individual is under twenty-one (21) years of age, **the scene officer should contact Station B whether a report is taken or not, in order to verify the temporary Station B entry or to remove it, if the person is located.**
4. Put out a City Wide broadcast over the Memphis Police Radio system.
5. Notify a supervisor to determine if additional steps are necessary, depending on the situation, to locate the individual that is missing.
6. The supervisor must notify the appropriate bureau. Depending on the time of day, or the situation, that would be either the Missing Persons Bureau, Felony Response "A" shift, Felony Response "C" shift, Homicide or Sex Crimes/Child Abuse.

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For paper reports, continue with steps 7-10.

7. The officer will complete the report as soon as possible and, after approval of a supervisor; call CompStat at 636-3575 for a report number.
8. The officer will fax the report to CompStat at 636-3492 as quickly as possible for the report to be typed into the Visions System.
9. The officer will call back to CompStat to verify that they received the report and that it was legible.
10. A copy of the report will also be faxed to the Missing Persons Bureau at the same time.

In situations where an officer is using a P.D.A. device to electronically input the report directly in Visions, the officer must call CompStat and advise them of the victim's name and the report number so that the information can be retrieved from the Visions report and entered into the N.C.I.C and T.C.I.C.

If the individual is located after being entered into the N.C.I.C. and T.C.I.C., a memo must be submitted to the appropriate bureau so that the entry can be removed. It will be the responsibility of the Bureau that is handling the case to update the information in N.C.I.C. and T.C.I.C. and ensure that the entry is removed after the person is located.

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SECTION: Custodial Interference Reports

Custodial Interference (**T.C.A. 39-13-306**) is the offense when a child younger than eighteen (18) years of age is taken by another member of the child's immediate family in defiance of a court custody ruling. This may include natural or adoptive parent, stepparent, grandparent, brother, sister, aunt, uncle, niece or nephew. (cousin is not included)

When an officer receives a call of this type the reporting officer should attempt to determine who has custody of the child by viewing the custody papers if possible. A Custodial Interference Report should then be taken which should include:

- 1) Relationship of the complainant to the child.
- 2) Relationship of the person believed responsible for taking the child.
- 3) Person who has custody of the child.
- 4) When child was taken and any details that may aid in the investigation.
- 5) Is the child believed to be in any danger with present caretaker.
- 6) Has this happened in the past and if so under what conditions was the child returned.

Upon a report being taken, advise the complainant to contact the Missing Persons Bureau and have the custody papers available. The complaint will be investigated by the Missing Persons Bureau and a warrant will be obtained when necessary. A physical arrest is not to be made on the scene except in cases where the subject may leave the jurisdiction or if the child is in danger, at which time the child may be placed in protective custody.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: PREPARATION OF RECORD OF ARREST (ARREST TICKET)

The Record of Arrest (Arrest Ticket) is the standard report to be used when an arrest is made, juvenile or adult. For processing requirements, see Chap. II, (Arrests, Charges & Investigations), of this manual. It is important that the Arrest Ticket be filled out in detail, including the vehicle used by the suspect/defendant. The vehicle should be listed in the following order: year/make/model/color/license number/state. This allows the Crime Analysis Unit to search for wanted persons in connection with other crimes. All Arrest Tickets must be approved by Central Intake.

Blocks #17 and #21 on the Arrest Ticket form require further explanation:

Block #17 - "Sheriff's R & I No." block.

NOTE: This block is for the identification number issued by the Sheriff's Department during processing. MPD officers may not have access to this number while filling out the Arrest Ticket. Therefore, this block will not be filled out by MPD officers.

Block #21 - Includes a "Transported by" block.

NOTE: When a security guard effects an arrest for which a police officer transports, the security guard's name will be placed in the "Arresting Officer" block. The police officer's name and IBM # will be placed in the "Transported by" block. The officer should also note in the narrative that he was the transporting officer.

NOTE: The officer writing the report will enter their name first in Block #21 of the Arrest Ticket; and only the officers participating in the actual arrest should be listed in Block #21. The names of the other officers involved in the incident/arrest should be placed in the narrative detailing their participation.

NARCOTIC ARRESTS AND NARCOTIC ARRESTS PAPERWORK:

The following procedures will be followed when officers make narcotic arrests:

A. NARCOTIC ARRESTS

Arresting officer will straight charge (bond recommendation, affidavits) all suspects on Narcotic Arrests. Before a suspect can be placed on hold for the Organized Crime Unit, an Vice Narcotics Unit supervisor must be contacted.

B. NARCOTIC ARRESTS PAPERWORK

All paperwork pertaining to Narcotic Arrests is to be given to the supervisor in the C.D.O's office LL-116.

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In order to ensure the accurate counting of Narcotic Arrests for statistical purposes, it will be necessary for all members of the department to send copies of any arrest tickets, Misdemeanor Citations, Ordinance Summonses or Juvenile Summonses relating to drug charges or drug paraphernalia charges to the Vice Narcotics Unit, 225 Channel Three Drive.

C. PROPERTY SEIZURES

Due to changes in the Tennessee Drug Control Act, which take effect October 1, 1994, it will be necessary for all Uniform Patrol drug arrests to contain all pertinent information of the arrest in the narrative of the arrest ticket. This information should include, but is not limited to, the basic who, what, where, when and how.

This information is necessary to establish probable cause which will enable Vice Narcotics personnel to draft a hearsay affidavit of complaint and secure a State Seizure Warrant that must be signed by a judge before property can be seized through the Tennessee Department of Safety.

Investigative Services:

The Investigative Services Division requires detailed information in the narrative section of the Arrest Ticket. In Block 22, Narrative Section, it is requested that all officers participating in the arrest/incident be listed, using care to detail what action or role each officer played. (See NOTE below).

This will be extremely helpful when preparing State Reports. In juvenile arrests, the Arrest Ticket oftentimes is the instrument used to prosecute; therefore, specific information is of vital importance.

NOTE: Officers will communicate by case notes for the incident related to the arrest in sensitive cases, paying special attention to listing in detail what each officer did relative to action and/or evidence.

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SECTION: Expungement

State law provides that certain arrest records be expunged. State and City Courts are required to issue an order specifically expunging a record of arrest. This order is then given to the various agencies involved, including the Memphis Police Department. When the Memphis Police Department receives an expungement order, it should be forwarded to the Records and Identification Section, which is run by the Shelby County Sheriff's Department. An expunged record may be given to the following personnel only:

1. MPD personnel
2. Attorney General's Office, City Prosecutor's Office
3. FBI
4. Secret Service
5. ATF
6. Pre-Trial Release and State/City Probation Officers
7. TBI
8. Tennessee Highway Patrol
9. Shelby County Sheriff's Department
10. Any court of record pursuant to subpoena

These agencies are to be told of the expunged status of such records so that they do not inadvertently make them available to any non-law enforcement agency.

There may be occasions when criminal investigators for other divisions of government have a justifiable need for expunged records. These personnel should be referred to the Legal Office for clearance in each case.

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I. General Information

A. Policy

1. It is the policy of the Memphis Police Department to comply fully with all relevant Tennessee laws regarding the retention, protection, public accessibility, and disposal of all departmental public records. Tennessee Code Annotated 10-7-301 defines records management as "the application of management techniques to the creation, utilization, maintenance, retention, preservation, and disposal of records in order to reduce costs and improve efficiency of record keeping." The term public records means "all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, regardless of physical form or characteristics, made or received pursuant to law or in accordance or in connection with the transaction of official business by any governmental agency."
2. Compliance to all laws related to public records is achieved through the adoption of efficient records management practices to ensure that all valuable public records are preserved as required either by law or good practice.
3. By virtue of their legal and administrative value, the case files of all investigations are primary examples of public records required for the effective operation of the Memphis Police Department.
4. This policy articulates the retention procedures for all documents and files created by the Memphis Police Department.
5. The authority for this policy derives from Tennessee Code Annotated, Chapter 10-7-401 and sections following.
6. All Memphis Police Department documents and files will be retained in accordance with the guidelines established by the Police Director as outlined in this section.

II. Record Retention Schedule

A. Retention Schedule

Record Type	Additional Info	Keeper of the Record	Retention Time	Routing
Administrative Internal Reports	Dealing with policy changes	Executive Admin	Indefinite	
Annual Evaluations		MPD Human Resources Station Copy	Indefinite 1 year + current	Original to Human Resources
Annual Reports		Res & Dev	Indefinite	
Applications		City of Memphis Personnel	2 years + current	Academy to City Personnel
Arrest Tickets/ Affidavits		SCSO-original Work Station	Indefinite 3 years + current	SCSO
Collected Evidence		Property/Evidence	Indefinite, By court order	
Crash Reports		Central Records	5 years + current	Original to Nashville

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		Scanned copy	Indefinite	
Criminal Intelligence		Vice/Narcotics	3 years + current	
Internal Affairs Cases		Inspectional Services	Indefinite	
Letter of Commendation		Human Resources Work Station	Indefinitely 3 years + current	Human Resources
Military Orders		Human Resources Work Station	Indefinite 3 years + current	Military Liaison
Offense Reports		Central Records	Indefinite	
Office Memos		Work Station	3 years + current	
Payroll Records		Payroll Work Station	Indefinite 3 years + current	Payroll
Personnel Files		MPD Human Resources Work Station	Indefinite 3 years + current	Human Resources
Pursuit Forms		Training Academy	3 years + current	Training Academy Traffic
Roll Call/ Logsheets		Work Station	Indefinite	
Seizure Records		Vice/Narcotics	Indefinite	
Sick Notices		Work Station	3 years + current	
Sick Notices (LTA)		Health and Safety Work Station	Indefinite 3 years + current	Health and Safety
Statement of Charges		MPD Human Resources E.I.P./ Inspectional Services Work Station	Indefinite Indefinite Indefinite	Original to Human Resources Copy to E.I.P./ Inspectional Services
Station Complaints		IAB-original Work Station	Indefinite 3 years + current	IAB
Station Operational Forms	Add. Patrols, Vac. Watches, etc.	Work Station	3 years + current	
Supervisor Incident Reports		Work Station	5 years + current	
Traffic Citations		Work Station	3 years + current	
Training Records		Training Academy	Indefinite	
Use of Force forms		Inspectional Services	Indefinitely	IAB
Tow tickets		Work Station	3 years + current	

B. Case Files

Case files consist of all documents, reports, papers, letters, correspondence, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, regardless of physical form or characteristics, including any combination thereof, and including all copies thereof, either organized or received by the Memphis Police Department.

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Investigators should maintain a file of all original documents, supplements, and notes pertaining to each assigned case. The case file documents will be stored in a locked drawer or file cabinet at the employee's workstation. These documents will be used later to complete the state arrest report on the case. The documents for closed or inactive cases should be forwarded to Central Records.

Access to the case files will be restricted to personnel of the responsible Bureau. At the discretion of the investigating detective, the information may be shared with other members of the Department. (42.1.3.d)

C. Officer's Duty Station Working File

All records and documents will be secured in locked filing cabinets.

1. Statement of Charges filed at the officer's duty station.
 - a. Records of all disciplinary actions taken resulting from a Statement of Charges including oral and written reprimands, suspensions, demotions, and terminations will be filed for storage once all hearings and appeals are finalized. The original will be placed in the officer's personnel file located in Police Human Resources, 201 Poplar Ave, Room 12-35A, a record will be secured in the Early Intervention Program office (E.I.P), 201 Poplar Ave., and a copy will be placed in the officer's duty station file.
 - b. All records and documents will be secured in locked filing cabinets in said offices.
 - 1) For Inspection and Purging guidelines of personnel files see Personnel Manual (PM 70-02 and 70-03 located in the Police Human Resource Office.)
 - 2) E.I.P. Records are confidential and secured under the control of a Licensed Mental Health Professional. Counseling reports and records are maintained under conditions of security. Mental health counselors ensure that all persons in his or her employ, volunteers, and community aides maintain privacy and confidentiality. Code of Ethics AMHCA. Counselors must maintain appropriate confidentiality in creating, storing, accessing, transferring, and disposing of counseling records. Standard of Practice Fourteen (SP-14): ACA Standards of Practice.
2. Station Complaints
Original forwarded to IAB with the Station copy retained at station for three years.
3. Evaluations
 - a. Original yearly evaluation sent to MPD Human Resources annually.
 - b. Copy of current and one year prior retained at station at all times.
4. Observational Behavioral Reports
 - a. A copy must be given to the officer.
 - b. Once all accolades are noted and explained on annual evaluation, they must be kept in working file for three years.
 - c. This also includes any citizen letters, or correspondence on behavior of officer.
5. Sick Notices
 - a. Long Term Absence Original Sick Notice to Office of Health and Safety with station copy maintained for three years.

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- b. Regular Sick Notice Station copy retained three years.
6. Official Letters of Commendation
 - a. Original sent to MPD Human Resources.
 - b. Station copy retained three years.
7. All other operational memos and correspondence regarding officer will be maintained for three years.

D. MPD Personnel File

All original documents will be filed with the MPD Human Resources Office and copies of said documents must be maintained within the employee's duty station file and given to the employee at the completion of each annual performance evaluation. The employee's personnel file located at the MPD Human Resources Office will be stored indefinitely.

E. Training Files

A copy of all training related records must be sent to the Training Academy and will be permanently maintained in the employee's training file. When the employee is no longer employed by the MPD, the files must be sent to the MPD Human Resources office for indefinite storage.

F. Medical Record Retention

All medical records will be secured in double locked filing cabinets under the control of the Memphis Police Department Health and Safety Coordinator in the Health and Safety Office, 201 Poplar Ave.

G. Inspectional Services Files

1. Internal Affairs and Security Squad investigative case files
Investigative case files are necessary to current and future police operations and to the fulfillment of the Department's legal obligations to local, state, and federal governments and outside interests.
2. Case File retention and classifications
 - a. All case files generated by the Internal Affairs Bureau and the Security Squad will be retained permanently.
 - b. Internal Affairs and Security Squad case files will be divided into two categories, active and inactive.
 - c. Active investigative case files are defined as the case files pursuant to an ongoing investigation conducted by the Internal Affairs Bureau or Security Squad. An internal investigation is considered ongoing until a final determination of the liability of the employee or employees under investigation has been made and all appeals have been exhausted. Active case files will be retained in active file status until after final appeal.
 - d. Inactive investigative case files are defined as the case files pursuant to a closed investigation conducted by the Internal Affairs Bureau or Security Squad. A case file is considered inactive only after an investigation has concluded, disciplinary

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hearing has been held, final appeals have been exhausted, court decrees issued, or charges dismissed. Inactive case files will be retained in an inactive file status for ten years. The ten-year period will begin the day an active file becomes inactive.

- e. The next business day following a status change from active to inactive, an active case file will be transferred from active file storage to inactive file storage.
- f. A status log will be maintained of all case files, both active and inactive. The status log should include the following information:
 - 1) The assigned investigation number.
 - 2) The name of the officer or employee under investigation.
 - 3) The name of the officer conducting the investigation.
 - 4) A short summary of the investigation, not to exceed 25 words, including the most serious allegation.
 - 5) Date of the file's creation.
 - 6) Date the case file was forwarded to the Disciplinary Review Board (if applicable).
 - 7) Return date from the Disciplinary Review Board (if applicable).
 - 8) Final disposition of the case and date.
 - 9) Date of transfer to inactive status.
 - 10) Date of transfer to permanent storage location.

3. Records Officer

The Commanding Officer or designate of Inspectional Services will supervise the functions of a Records Officer. The Records Officer will be responsible for coordinating the development and maintenance of the Internal Affairs and Security Squad case file management program.

4. Storage Guidelines

- a. The offices of the Internal Affairs Bureau will be considered the on-site storage location.
 - 1) All active and inactive case files will be stored in a locked storage room, with access controlled by the Records Officer in Section 6.
 - 2) Active case files will be stored in separately from inactive case files.
 - 3) A relatively constant temperature will be maintained in the case file storage area.
- b. Following expiration of the ten-year period, an inactive case file will be prepared for indefinite storage in a permanent storage facility. The Police Director may request in writing that an inactive case file be kept on-site for a period of 365 days after the prescribed date of transfer to an off-site storage facility. There is no limit to the number of extensions a Police Director may request.
- c. Absent a proper authorization from the Police Director pursuant to 4b1 requesting that an inactive case file be kept on site for a period of 365 days, the inactive case file will be prepared for permanent storage in a permanent storage location as described in Section 6 the next business day following completion of the extension period.

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- d. The Police Director will designate a permanent storage location for all inactive investigative case files, and insure that adequate security is provided for the protection of the case files.
5. Retention and storage of physical and forensic evidence
 - a. All physical and forensic evidence referenced in a case file of the Internal Affairs Bureau or Security Squad will be retained for a period of ten years. The ten-year period will begin the day an investigation is opened.
 - b. Within five days after receipt of the transmittal form indicating that an inactive case file has been transferred to the designated permanent storage facility, a written letter will be issued from the Records Officer to the appropriate department or departments requesting that all physical evidence supporting a specific case file will be destroyed within thirty days. The letter should include a request for a written response indicating the exact date of disposal for all such evidence.
 - c. The Police Director may request in writing that all supporting physical and forensic evidence of a case file be retained for a period of 365 days after its prescribed date of destruction. There is no limit to the number of extensions a Police Director may request.
 - d. Absent a proper authorization from the Police Director pursuant to 5c1 requesting that an inactive case file be kept on site for a period of 365 days, a written letter will be issued from the Records Officer to the appropriate department or departments requesting that all physical evidence supporting a specific case file will be destroyed within thirty days. The letter should include a request for a written response indicating the exact date of disposal for all such evidence.
 - e. All physical and forensic evidence are to be properly stored according to the guidelines outlined in Chapter V, Section 3 of the Policies and Procedures Manual.
 6. Preparation and transmittal of official records/documents for permanent storage
 - a. When records/documents are ready for permanent storage, the following procedures will apply:
 - b. All records/documents must be boxed in approved acid-free archival storage boxes.
 - c. A transmittal form must be completed *each time* a case file's shipment is made. If the front of the first page is filled up, a continuation sheet(s) should be used for the remainder of the records to be transmitted. All records must have an item number included *per box*. The description used must match the item number. However, additional information may be included under the description to facilitate access to the records at a later date.

EXAMPLES: BOX 1, ITEM # _____, Description
Case Files
Aaron-Arnold
BOX 2, ITEM # _____, Description
Case Files
Astor-Bailey

NOTE: Item # should correspond with the number on transmittal form.

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- d. A properly completed “Memphis Police Department Investigative Case Files” gummed label must be attached to each box transmitted to the off-site storage facility. The label must be placed in the center of one of the small ends of each box, under the handle hole.
 - e. After the boxes have been delivered, a storage assignment location will be made for each box and marked on the transmittal form. A copy of the form will be returned to the Records Officer for future reference when accessing a particular document All Internal Affairs and Security Squad case files are public records subject to public inspection pursuant to T.C.A. Code 10-7-503.
7. Access to Internal Affairs and Security Squad case files
- a. Records stored by the Internal Affairs Bureau and Security Squad, either on site or in the permanent storage location, remain the property of the creating office.
 - b. The Commanding Officer of Inspectional Services will designate in writing members of his staff who are authorized, and identifying what authority they have to access the on-site and permanent storage case files of the Internal Affairs Bureau and Security Squad.
 - c. Other than those designated in section 7c, all persons requesting a review of a specific case file must make a separate written request to the Records Officer for each case file requested.
 - d. Written requests should be sent to the following address:

MPD Legal Liaison	City Attorney’s Office
201 Poplar Avenue, Rm.12-28	(or) City Records/ Open Records Coordinator
Memphis, TN 38103	125 N. Main
	Memphis, TN 38103
 - e. Any person accessing an on-site case file, including Internal Affairs and Security Squad employees, must sign an on-site user log, including the name of the person accessing the file, the case file number, the time of access, the purpose, and the time the file is returned.
 - f. Any person accessing a permanent storage case file, including Internal Affairs and Security Squad employees, must sign a permanent storage user log, including the name of the person accessing the file, the case file number, the time of access, the purpose, and the time the file is returned.
 - g. If, pursuant to a valid and approved request, access to a case file is granted to a person outside of the Internal Affairs Bureau, the person(s) mentioned by name in the case file will be notified of a public review of the case file.
8. Duplication of a case file
- Duplication of a case file by means of photocopying, Photostating, scanning or other means, for either internal or external purposes, is prohibited without the written consent of the Police Director or the designated records officer. The written consent will become part of the stored file.
7. Retention of Log Books
- a. The status log described in Section 2d is generated for administrative purposes and should be retained indefinitely in the office of the Records Officer.

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- b. The on-site case file log as described in 7f is generated for administrative purposes and should be retained indefinitely in the office of the Records Officer.
 - c. The permanent storage case file log as described in 7g is generated for administrative purposes and should be retained indefinitely in the offices of the Police Director.
 - d. Requests for public inspection of a logbook should be made in the same manner as prescribed for case files, as stated in Section 7.
8. Electronic Storage
- a. At the end of the ten-year on-site storage period, the Police Director may choose to convert the original case file to an electronic means of storage, including but not limited to microfilm, CD-ROM, or other forms of digital imaging, in lieu of transferring and archiving the original case file.
 - b. Prior to a conversion to electronic storage, the Police Director will insure that specific guidelines are issued relating to the procedures for electronic storage.
 - c. In compliance with Section B1a of this policy, the electronic copy of a case file that succeeds an original paper version of the same case file will be maintained indefinitely. As specified by Tennessee law, destruction of the original paper version would require the approval of the Public Records Commission, who by authority of a majority vote of the Commission may authorize the destruction of all inactive case files.
 - d. Unless otherwise specified in the new procedures for electronic storage, access to electronic files would conform to Section 7 of this policy.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Work Station Reports

1. All personnel assigned to Station Desks will answer the telephone in a prompt, professional, and courteous manner. Example: “Memphis Police Department, Union Station, Officer Smith, how may we help you?”
2. The following *Property Crime Reports* may be taken over the telephone:
 - Larceny/Theft Offenses
 - Thefts from Vehicles (where the vehicle is not stolen)
 - Vandalisms
 - Threatening or Obscene Phone Calls

If the dollar amount is in excess of Five Thousand Dollars (\$5,000), then a supervisor must approve the report to be taken over the telephone.
3. Any report that has a suspect, has evidence factors, could be deemed newsworthy, involves public or elected officials **must** be approved by a supervisor before it is taken via telephone.
4. The following type reports will **not** be taken over the telephone **without specific orders from a supervisor**:
 - Motor Vehicle Thefts
 - Burglaries
5. Units will be dispatched when the victim is unable or unwilling to furnish adequate information.
6. Units will be dispatched when the caller specifically requests to have a car make the scene.
7. Reports will **not** be taken over the telephone for the unexplained disappearance of property, including Inventory Adjustments, Lost Property, or Misplaced Property. (Example: “I can’t find my cell phone.”) However, a memo will be taken in these circumstances.
8. Reports will **not** be taken over the phone for any offense involving *Crimes Against Persons*.
9. Any complaint (walk-in or call to a Station via phone) regarding allegations of police misconduct **must** be forwarded to a supervisor or Commanding Officer.
9. If a report situation is forwarded to the Station and it appears a unit should have been dispatched, a supervisor will be notified. **Officers should not explain to the public how a car should have been dispatched, etc.**
10. Any strange, unusual, and/or complex situations should be referred to a supervisor for further instructions.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: NCIC Interstate Identification Index and Criminal History Records

NCIC Entries

The Memphis Police Department, when entering records into NCIC, is responsible for their accuracy, timeliness, and completeness. All NCIC entries must be supported by documentation, a written report, or a warrant. After an entry is made into NCIC, a second party check should be conducted by the officer requesting the entry. The person performing the second party check shall compare the written documentation to what is showing on the printout of the NCIC entry. NCIC records must be kept valid and up-to-date.

NCIC Validations

All records entered into NCIC must be supported by written documentation and subjected to the validation process within 60 - 90 days of entry to confirm that the record is complete, accurate, and still outstanding or active. Validation is accomplished by reviewing the entry and current supporting documents and by recent consultation with any appropriate complainant, victim, prosecutor, court, or other appropriate source or individual. If attempts to contact the victim, complainant, etc... are unsuccessful, the entering authority must make a determination based on the best information and knowledge available whether or not to retain the entry in the file. The Bureaus will receive a validation packet from Communications and must return the completed packet by the date requested on the cover sheet.

Step-by-step validation checklists for Person Files and Property Files can be located on the MPD Information Systems Support Portal under Bureau Forms.

Secondary Dissemination

The secondary dissemination of criminal history information obtained from the NCIC Interstate Identification Index (III) file and from the Criminal History Record Information (CHRI) file must comply with the following policy. This policy is mandated by CJIS (Criminal Justice Information System) security rules.

“Secondary Dissemination,” as used here, is defined as criminal history information, which is given or is going to be given to an individual other than the original requestor who had statutory authority to make the query.

1. All criminal history inquiries that are shared with any other agency must be noted in the case file. This should be done in the narrative at the Case Level in the Spillman or Vision Records Management System. The notation should include the agency name, the name of the individual who the information was shared with, phone number and the date and time.
2. All criminal history printouts and references to criminal histories must be removed from a case file before the case file is made available to the public or media.
3. All criminal history printouts and references to criminal histories, which are no longer needed in a case file, must be deleted from the Spillman or Vision Records Management System and all paper copies destroyed (burned or shredded).

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Departmental Forms

It is necessary to establish policy to ensure the accountability and standardization of the forms utilized by the Memphis Police Department. This policy pertains to forms established for use by the Memphis Police Department and does not include forms controlled by another level of government, agency or authority.

- I. The Accreditation Team will be responsible for the quality control of all forms used by the Memphis Police Department. The Accreditation Team will maintain a “Department Forms File” to ensure accountability and standardization of all forms used by the department. This file will pertain to forms used within the Memphis Police Department and does not include forms controlled by another level of government, agency or authority.
- II. The following procedures will be used when revisions or new forms are necessary:
 - A. The Precinct/Bureau developing a new form or the revision of an existing form will complete the following steps:
 1. Attach a memo to the form describing the need and purpose of the form.
 2. List the Precincts and/or Bureaus that are expected to use the form.
 3. List any anticipated changes in records keeping and retention.
 4. Document any impact the form or form revision may have on other Precincts or Bureaus.
 5. Complete an explanation of the fields of information required for completion of the form.
 - B. Prior to forwarding the form to the Accreditation Team for recording, suggested forms or revisions will be forwarded through the operational chain of command for review and approval by the effected Precinct or Bureau’s Deputy Chief. Forms that will have a substantial impact on other areas of the Department may need approval by the Command Staff prior to implementation.
 - C. Once a form is approved, the Accreditation Team will assign the form a department form number, and coordinate arrangements for an initial printing of the form.
 - D. Original forms and justification for revision or adding forms will be maintained by the Accreditation Manager in the Department Forms File.
 - E. The Accreditation Team will maintain a “Department Forms” file folder on the Network. This file folder will contain electronic versions of all approved forms.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Departmental Forms

III. Precinct/Bureau Responsibilities

After a form has been created or revised, it shall become the responsibility of the Precinct/Bureau that utilizes the form to ensure that the outdated form is removed from use and that there is an adequate supply of the updated forms ordered and on hand.

IV. The Accreditation Team will annually complete an audit of all forms being used by the Department to ensure the following:

- A. All electronic versions of the forms are updated on the network drive.
- B. A form is still in use.
- C. A form is current and appropriate.
- D. A need exists for the form.
- E. There is no duplication of forms.
- F. No unauthorized forms are in use.