

Oakland County Sheriff's Office
General Order # 1.11



SUBJECT: Law Enforcement Records and Access Control		NUMBER: 1.11
EFFECTIVE DATE: 6/8/2023 REVIEW DATE: Annually	MACP Standard Impact: 1.8.1 and 1.8.2	
REPLACES AND RESCINDS: N/A	DISTRIBUTION: All Personnel	NUMBER OF PAGES: 3

This order replaces and rescinds all previously issued orders, procedures, rules and regulations, notices and/or practices in conflict with this General Order.

I. PURPOSE

To establish procedures for the review, recording, maintenance, control and retrieval of records that are the responsibility of the Oakland County Sheriff's Office.

II. POLICY

The Oakland County Sheriff's Office will operate a records system in compliance with state and federal regulations designed to assist the agency in meeting its managerial, operational and informational needs.

III. PROCEDURE

A. Organization:

1. The Records Unit is under the Technology, Information & Innovation Division.
 - a. The function of the Records Unit includes records maintenance, records storage/retrieval and report control. The Records Unit will control the confidentiality, availability and disclosure of all reports and records within its authority in accordance with applicable laws and Sheriff's Office orders.
 - b. Records not maintained by the Records Unit, but by other agency operational components, include:
 - i. Internal Investigation files
 - ii. Training files
 - iii. Personnel records

B. Security of the Records Division:

1. Access to the Oakland County Sheriff's Office records is limited to authorized personnel only. Access to rooms and spaces involved in the storage of agency records is controlled by the Oakland County door access system.

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2. Most agency records will be stored and secured utilizing the CLEMIS Records Management System (RMS). Access to these records will be username and password-protected, and each agency user will have unique, traceable access permissions. Access to this system and dissemination of the information contained within will be regulated by applicable state and federal laws, such as FOIA, LEIN, etc. **(MACP Standard 1.8.1 a, 1.8.2 b)**
 3. All agency files not stored and secured in the RMS system (i.e., DVD video, original written statements, etc.) will be stored in contracted evidence storage software (electronically) or file cabinets in the secure file room when not manned by Records Unit personnel. **(MACP Standard 1.8.1 a)**
 - a. Access to the file room is controlled by the Oakland County door access system. After-hours access to files in this room requires authorization from the Technology, Information & Innovation Division Commander. **(MACP Standard 1.8.1 b)**
 - b. Access to other agency records will be available to authorized employees 24 hours per day through the password-protected RMS. **(MACP Standard 1.8.1 b)**
 4. Special Consideration Records
 - a. Juvenile Records: All juvenile criminal reports filed with Records or submitted via the CLEAR RMS are coded by the RMS as a juvenile record. Dissemination of juvenile records will be governed by applicable law and will be handled only by trained Records Unit staff. **(MACP Standard 1.8.1 c)**
 - b. Confidential Records: Any records of a confidential nature that are stored in the Records Unit via the RMS will be password-protected. Only authorized personnel who require access to these records will be given the password. **(MACP Standard 1.8.1 c)**
 - c. Non-Public Personnel Records: Any non-public records relating to personnel are maintained by Human Resources or the Office of the Sheriff. Only authorized personnel will have access to these records. **(MACP Standard 1.8.1 d)**
- C. Records Retention and Release Procedure
1. In accordance with the State of Michigan General Retention Schedules, a schedule of retention and destruction for records has been established. The schedule will be maintained in the Records Unit. No records are to be retained, transferred, destroyed or otherwise disposed of in violation of this schedule. **(MACP Standard 1.8.1 f)**
 2. Procedures and criteria for release of agency records will be governed by the Oakland County Sheriff's Office Freedom of Information Act order and applicable laws. **(MACP Standard 1.8.1 e)**
 3. Distribution of reports to the public will be during posted business hours only.
 4. Fees will be charged in accordance with fee schedules established by the County.
 5. Criminal Reports which are solely the result of investigative efforts will not be released to anyone other than law enforcement officers and the courts, for official use only, until the suspect has been formally charged at his/her arraignment. This includes all supplemental reports which list witnesses, suspects, informants, opinions, suppositions, hearsay, investigative leads and any other investigative information. **(MACP Standard 1.8.1 e)**

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D. Backup, Storage, and Information Security of Agency Files:

1. The procedure for backing up the CLEMIS (RMS) Reporting Management System is done by Oakland County in adherence to Oakland County IT procedures. Oakland County servers will be backed up daily. **(MACP Standard 1.8.2 a)**
2. The storage of CLEAR data will be the responsibility of Oakland County. Additional back-up will be stored offsite at a public building in a secure area. **(MACP Standard 1.8.2 a)**
3. All agency access to law enforcement networks and agency files will be password-protected. Password renewal and change timelines will be in accordance with the schedule required by the applicable network (RMS, LEIN, etc.). Agency personnel will not share passwords with others inside or outside the agency. **(MACP Standard 1.8.2 b, c)**

E. Audit:

1. The Law Enforcement Information Network (LEIN) is subject to audit every three years. The National Crime Information Computer (NCIC) is subject to an audit by the Federal Bureau of Investigation (FBI) every two years.
2. A request will be made to CLEMIS for an immediate audit of the RMS and CAD system if a breach of security is discovered. **(MACP Standard 1.8.2 e)**
3. At least annually, CLEMIS will conduct an automated audit of the RMS and CAD system for verification and required change of all passwords, access codes (or matrices) and access violations. **(MACP Standard 1.8.2 d, f)**



ISSUED BY: Sheriff Michael J. Bouchard