



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	410.01	4/19/2023	4/20/2023
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Central Records Systems		3/20/2020; 3/20/2017; 2/6/2017; 8/12/2014	
REFERENCE		RE-EVALUATION DATE	
CALEA 82.1.1; 82.1.2; 82.1.6		3/20/2026	
SUBJECT AREA		DISTRIBUTION	
Administration		All Personnel	

**PURPOSE**

The purpose of this policy is to provide guidelines pertaining to the Department’s central records systems.

**POLICY**

It is the policy of the Providence Police Department to provide for the security and integrity of its central records systems and functions, and to act in accordance with the RI General Laws and the edicts of the RI Department of the Attorney General.

**DISCUSSION**

N/A

**PROCEDURE**

**I. GENERAL PRIVACY AND SECURITY PRECAUTIONS**

- A. The IT/Computer Services Bureau shall ensure that the Department’s electronic central records computer systems are secure and that authorized employees are given access to the Department’s computer system network.
  - 1. Access to various computer programs and information/electronic agency files will be granted on a case-by-case basis, depending upon each particular employee’s security clearances, job functions, and requirements.
  - 2. The Department maintains a computer network that is accessible to authorized personnel using authorized Department computers on a continuous basis, regardless of shift.
- B. The IT/Computer Services Bureau shall have processes to maintain the

security of central records computer systems, to include:

1. Data back-up.
  2. Data storage.
  3. Access security.
  4. Password audits, at least annually.
- C. The security and regulation of access to physical records files shall be the responsibility of the Division, Bureau, and/or Unit within which said records files reside.
1. Security measures may include restricted access to Division offices, locked rooms, and/or or locked filing cabinets.
  2. Access to physical files is granted to authorized personnel on a continuous basis, regardless of shift.
- D. The Records Bureau Office is secured by a keyed-access door, which shall remain closed and locked at all times.
1. Unattended access and after-hours access to the Records Bureau Office is restricted, and shall only be granted to “authorized personnel”, who for the purpose of this section are defined as sworn and civilian Providence Police Department personnel who are assigned to work within the Bureau and/or within the Bureau’s interior offices, and their supervisors.
  2. Access to the Records Bureau Office for all other persons shall only be granted when:
    - a. Said other persons are conducting Department-sanctioned business that requires them to be in the Records Bureau Office; AND
    - b. Personnel assigned to the Records Bureau Office are, and remain, present within the Bureau office.

## **II. JUVENILE RECORDS**

- A. Electronic records pertaining to juveniles are maintained in the Department’s central records computer system.
1. System flags are used to distinguish juvenile records from adult records.
- B. Physical arrest/investigative records pertaining to juveniles shall be maintained separately from adult records via secured locations within the

Youth Services Bureau.

- C. A record of juvenile arrests shall be maintained by the Youth Services Bureau that will include the agency incident number, juvenile's name, date of birth, charge(s), and arresting officer. This juvenile arrest log shall be maintained separately from any such log pertaining to adults.
- D. Physical and/or electronic records pertaining to the fingerprinting, photographing, and other forms of identification of juveniles shall be maintained by the Bureau of Criminal Identification and the Youth Services Bureau.
- E. Physical security and controlling access to juvenile confidential information shall be the responsibility of the Division, Bureau, and/or Unit within which said records reside.
- F. Disposition of juvenile records shall be accomplished in accordance with the following RI General Laws:

§ 14-1-6.1 Records:

– (a) In any case where a court shall have obtained jurisdiction of a juvenile having attained the age of seventeen (17) years pursuant to 2007 P.L. 73, Article 22, section 1:

(i) All police records relating to the arrest, detention, apprehension and disposition of the juvenile and all records of identification maintained pursuant to chapter 12-1 of the general laws shall be treated as family court records in accordance with §§ 14-1-64 and 38-2-2 of the general laws; provided, however, that no person and no department, agency or any other instrumentality of the state or of any subdivision thereof shall be held liable or otherwise legally accountable for having disclosed or disseminated any such records in reasonable reliance upon the law in effect between July 1, 2007, and the effective date of this act [November 8, 2007]; and provided further that nothing in this section shall be deemed to prohibit the use of witness statements and other police records in the course of judicial proceedings initiated prior to the effective date of this act; and

(ii) All court records of such proceedings shall be sealed upon final disposition of the case in the event of a no information, dismissal or not guilty finding or upon the completion of any sentence, probation and/or parole imposed therein.

§ 14-1-64 Disposition of juvenile records:

– (a) All police records relating to the arrest, detention, apprehension, and disposition of any juveniles shall be kept in files separate and apart from the arrest records of adults and shall be withheld from public inspection, but the police report relating to the arrest or detention of a juvenile shall be open to inspection and

copying upon request and upon payment of copying costs in accordance with § 38-2-4 by the parent, guardian, or attorney of the juvenile involved. After disposition of an offense and upon execution of an appropriate release and upon payment of copying costs in accordance with § 38-2-4 by the parent, guardian or attorney of the juvenile involved, records relating to the arrest, detention, apprehension and disposition of the juveniles shall be open to inspection and copying by the parent, guardian, or attorney of the juvenile involved.

(b) Notwithstanding subsection (a) of this section, the identity of any juvenile waived pursuant to § 14-1-7.1 or certified and convicted pursuant to § 14-1-7.2 shall be made public.

- G. Under Rhode Island law, the system for expungement for juvenile records is automatic, with the exception of those juveniles who are waived out of Family Court for serious crimes, in which case expungements will be effected pursuant to a court order.

### III. RELEASE OF RECORDS

- A. The release of records generated by the Department shall be effected in accordance with RI General Laws § 38-2-1 et seq., commonly referred to as the Access to Public Records Act (a.k.a. "APRA").
- B. The Department's Records Bureau and its personnel, and any other personnel specifically granted authority by the chief administrator of the Department, are solely authorized and responsible for releasing agency records in accordance with APRA.
- C. In accordance with § 38-2-3.16 Compliance by agencies and public bodies, the chief administrator of the Providence Police Department shall annually state in writing to the RI Attorney General that all officers and employees who have the authority to grant or deny persons or entities access to records under APRA have been provided orientation and training regarding the Access to Public Records Act.

**APPROVED:**



COLONEL OSCAR L. PEREZ  
CHIEF OF POLICE