



IRONDEQUOIT POLICE DEPARTMENT GENERAL ORDER

General Order: 505	Effective Date: November 2, 2011
Subject: Traffic Enforcement	
Reference Standards: 8.1, 39.1, 47.1, 47.2, 47.4, 64.1	
Rescinds: G.O. 505 dated September 1, 2009	
Page 1 of 12	Appendix: Quarterly License Plate Reader Progress Report, Daily IPD License Reader Activity Sheet

I. ENFORCEMENT TYPES

- A. Normal traffic enforcement involves patrol by officers who observe and handle traffic violations during the performance of their normal duties.
- B. Area patrol involves traffic enforcement within the officer's assigned area of responsibility.
- C. Line patrol involves traffic enforcement with concentration on a particular section of roadway.
- D. Directed patrol instructions can specify enforcement in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation.
- E. Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic at a particular location.
 - 1. Officers are encouraged, when completing reports or doing other activities that will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location where the mere presence of the vehicle will serve to remind the other drivers of the need for compliance with traffic laws.

II. OBJECTIVES OF TRAFFIC STOPS

- A. There are two major objectives of a traffic stop:
 - 1. To take proper and appropriate enforcement action.
 - 2. To favorably alter the violator's future driving behavior.
 - a. The attainment of these two objectives depends upon the officer's ability to evaluate the violator's mental and physical condition, and facts concerning the violation.
 - b. This requires a thorough understanding of human relations and demands flexibility on the part of the officer.
 - c. Enforcement procedures should minimize conflict that may develop between the officer and violator and assist in achieving the two major objectives.

III. TRAFFIC VIOLATOR/OFFICER RELATIONS

A. Procedures to be followed when conducting traffic stops:

1. Always be alert for the unexpected.
2. Be absolutely certain the observations of the traffic violation were accurate.
3. Present a professional image in dress, grooming, language, bearing, and emotional stability.
4. Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available.
5. Decide on the appropriate enforcement action based upon the violator's driving behavior, not attitude.

B. Procedures prior to stopping a traffic violator should include the following:

1. Maintain a reasonable distance between the violator's vehicle and the police vehicle.
2. Locate a safe spot to stop the vehicle.
3. Activate emergency and other equipment necessary to signal the violator to stop.
4. Advise the ECD dispatcher of the intention to stop the violator.
 - a. The officer will give the location of the stop, license plate number, and any additional information deemed necessary.
5. The officer should position the police vehicle approximately one-half to one car length behind the violator's vehicle.
6. The police vehicle shall be positioned so that it will offer the officer some protection from oncoming traffic.
 - a. This position should be a minimum of two feet outside and to the left of the violator's vehicle.
 - b. This position provides maximum safety to the violator, the officer, and all other traffic.

C. In addition to the above procedures, when stopping a vehicle in which the occupant(s) is deemed to present a hazard to the officer's safety, the officer should:

1. Request a backup officer and calculate the stop so that the backup officer is in the immediate area before the actual stop unless there is a specific need to stop the vehicle sooner.
2. Aim the unit's auxiliary lights (spotlight and alley lights) on the occupant(s) of the vehicle when applicable.
3. When necessary use the police vehicle's public address system to give the occupant(s) of the vehicle instructions.

D. Roadway traffic hazards

1. On multi-lane roadways, the officer should ensure the safety of the violator during the lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
2. Should the violator stop abruptly in the wrong lane or in another undesirable location, the officer will direct him/her to move to a safer location.
3. Officers can use the public address system to instruct violators to move to a safer location.
4. If the officer's oral directions and gestures are misunderstood, the officer will quickly leave the patrol vehicle and instruct the violator.

E. Approaching the violator

1. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway.
2. Varying conditions regarding the engineering of the particular traffic way, the urgency to stop the violator (drinking driver), and the existing volume of traffic may require adjusting or altering the recommended procedure.
3. Under ideal conditions, follow these procedures if possible.
 - a. The officer will leave the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
 - b. The officer will approach from the rear of the violator's car, looking into the rear seat and stop behind the trailing edge of the front door.
 - 1) This position will be maintained if there are only occupants in the front seat of the vehicle.
 - 2) From this position, the officer can communicate with the violator, keeping him/her in a slightly awkward position and at the same time keep all occupants of the vehicle in view.
 - 3) In cases where the violator's vehicle has occupants in both the front and rear seats, the officer should approach to the leading edge of the front door, alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the officer.
 - 4) From this position, the officer can communicate with the violator and keep all occupants in view.
 - c. If a traffic stop is made by two or more officers, one officer will make contact with the violator.
 - 1) The second officer will handle all radio communications.
 - 2) This backup officer shall act as an observer and cover the contact officer.

- 3) At night, officers shall exercise caution in selecting an appropriate place for the traffic stop, signaling the violator, and positioning the police vehicle.
- 4) After the stop, the headlights should be set on low beam (for the safety of oncoming traffic) unless extenuating circumstances exist.
- 5) Necessary emergency equipment will be used (both day and night).

F. Communicating with the violator

1. In transacting business with the violator, the officer will:
 - a. Greet the violator courteously with an appropriate title.
 - b. Ask for the violator's driver license, vehicle registration, insurance identification card, etc.
 - c. Inform the violator what traffic law was violated.
 - d. Allow the driver to discuss briefly the violation.
 - 1) Do not argue, berate, belittle, or otherwise orally abuse the violator.
 - e. If the violator does not have a license, obtain another document of identification if available.
 - 1) Attempt to verify this information through the ECD dispatch and/or the MDT Laptop.
 - f. Complete the forms required for the enforcement action taken or issue a warning, if appropriate.
 - g. Explain to the violator exactly what is supposed to be done in response to the action taken.
2. If the enforcement action requires a court appearance, make sure the violator knows where and when to appear.
 - a. Explain any alternatives to the violator, but do not predict the actions of the court.
3. Be alert to any emotional stress exhibited by the driver.
 - a. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.

G. Completing the stop

1. Return all the violator's documents.
2. Release the violator after issuing a warning or summons.
3. Assist the violator in safely reentering the traffic flow when necessary.
4. Do not follow the violator.

IV. STOPPING A KNOWN OR SUSPECTED FELON

- A. Special procedures will be used in vehicle stops when the occupants are known to be armed and dangerous.
- B. When a vehicle driven by a known or suspected felon is located the officer will notify the dispatcher immediately of the location and give a thorough description of the vehicle and its occupants.
- C. The officer will keep the suspect vehicle in view and request assistance when making the stop.
- D. The officer will keep assisting officers informed of the location and direction of travel to aid their approach with minimal use of emergency equipment.
- E. Unless absolutely necessary, the stop will not take place until adequate support is available and in position.
 - 1. Circumstances may dictate a one-officer felony vehicle stop.
- F. The following procedures will be used in effecting the stop:
 - 1. The officer will plan to stop the vehicle in a location that presents minimal danger to the public and the officer.
 - 2. When conditions are appropriate and assisting units are available, the officer will move into position to the rear of the suspect vehicle and prepare to make the stop.
 - 3. The officer will signal the violator to stop, using all necessary emergency equipment.
 - 4. The violator will be stopped on the extreme right side of the road.
 - 5. If the violator is known to be armed and dangerous, the officer will have his/her weapon easily accessible and ready for immediate use.
 - a. Precautions should be taken to ensure that in effecting the stop that no other traffic travels past the stop which may be placing him/her in harms way.
 - 6. When the suspect vehicle begins to stop, the officer will turn on the public address system.
 - 7. The officer will position the police vehicle so that it provides maximum protection and cover.
 - 8. At night, the officer will focus all lights on the interior of the suspect vehicle.
 - 9. The officer, where possible, should leave the police vehicle quickly but remain behind the door and accessible to the public address system microphone.
 - 10. **The officer making the stop is in command and will direct each occupant, using the public address system if necessary, as follows:**
 - a. Once stopped, the officer will order the driver to shut off the motor and drop the keys on the ground outside the door.

- b. The officer will then order occupants to place their hands, palms up, on the ceiling of the vehicle.
 - c. The officers will then order occupants to exit the vehicle on the driver's side only, one at a time.
 - d. Occupants will then be ordered to walk backward to an area near the police vehicle.
 - e. The occupants may be told to lie face down on the ground.
11. If a public address system is not available, the officer will give voice commands.
 12. To reduce confusion, the officer making the stop will instruct assisting officers, as appropriate, and will be the only officer to initially direct the suspects.
 13. As each occupant is placed in the search position a support officer will conduct a search of the occupant and secure the occupant before the next occupant is directed out of the vehicle.
 14. The support officers will cover the arresting officer and remain in a position of advantage until all occupants have been directed out of the vehicle and searched.
 15. Officers will exercise extreme caution not to get within each other's line of fire.
 16. Arrestees will be searched and handcuffed before transportation.

V. JUVENILES

- A. Officers have available several alternatives to effectively deal with juveniles who are stopped while operating a motor vehicle.
- B. Officers should bear in mind the age of the juvenile and the seriousness of the offense in determining the appropriate response.
- C. The methods described below can be used as a guide when dealing with juveniles.
 1. Parent notification and release to a parent at the scene.
 2. Return to parent's residence with notification.
 3. Contact CIU Personnel for response to the scene.
 4. Taken into custody.

VI. NON-RESIDENT OPERATORS

- A. Traffic violators who are non-residents will be handled in a way similar to state residents. Exceptions include stopping an out of state driver committing a violation that would not be a violation in his/her state.
 1. The officer may then decide to issue a warning rather than a citation.

- B. Officers stopping an out-of-state resident and issuing a citation may contact their supervisor to determine whether a person will be required to be arraigned or post pre-arraignment bail.
- C. The supervisor making the decision will consider the following factors and any others that may be required.
 - 1. Ties to the community.
 - 2. Past contacts (failure to answer summons).
 - 3. Whether the violator's state of residence has a reciprocal agreement with New York State.
 - 4. Seriousness of the offense.

VII. SPEED MEASURING DEVICES

- A. The Department utilizes two types of speed measuring devices:
 - 1. Radar speed measuring devices
 - 2. Laser speed measuring devices
- B. All officers utilizing either radar and/or laser speed measuring devices will be certified by the NYS DCJS Office of Public Safety and will maintain his/her certification as required.
 - 1. Officers will calibrate each instrument prior to use as trained.
 - 2. Officers will indicate the unit serial number on the daily running sheet.
 - 3. Officers utilizing radar will also indicate the tuning forks utilized and the reading at the start and end of the shift.
 - 4. Laser units will be calibrated to the pre-posted distance markers at the rear of the department.
 - 5. Care will be used to avoid exposure to extreme heat when radar units are not in use.
 - 6. Tuning forks for radar units will be kept in the protective sheaths when not in use.
 - 7. Units that are not in proper working order and/or do not calibrate correctly will not be used for speed measuring and the officer will notify his/her command officer that the unit is faulty.
- C. Maintenance
 - 1. The Chief of Police, or his/her designee, will assign an officer to take charge of maintenance of the radar and laser speed measuring devices.
 - a. The officer in charge of maintenance will ensure that the speed measuring devices are in proper working order.
 - b. The officer in charge of maintenance will ensure that the speed measuring devices are certified

and calibrated through the NYS DCJS Office of Public Safety a minimum of once per year.

c. The officer in charge of maintenance will maintain the records on each unit.

VIII. LICENSE PLATE READER (LPR)

A. Overview

License Plate Readers technology may be utilized by Irondequoit Police Officers for vehicle and traffic enforcement, criminal investigations and locating missing children and adults. In addition, LPR's may be used to locate vehicles of interest for a specific investigation in a geographical area such as sex offenders, robbery and auto theft suspects to name a few. The data collected may give officers/investigators the ability to take immediate action or provide leads to prevent or solve crimes. LPR units can also be deployed to collect all registration plates in an area surrounding a major crime scene/incident and placed at "pinch points" or major routes of escape/travel immediately after such an event.

1. Administration:

(a) The Chief of Police will designate an LPR Coordinator to administer and oversee the LPR program whose responsibilities include the following:

- 1) Maintain an adequate number of trainers;
- 2) Ensure users have been properly trained.
- 3) Arrange for additional training when and as deemed necessary.
- 4) Maintain records identifying approved LPR details and their results and ensure appropriate documentation of significant incidents and arrests that are related to LPR usage (see attachment IPD Quarterly License Plate Reader Progress Report)
- 5) Ensure LPR activity is reported quarterly to DCJS on the IPD LPR Survey Form (see attachment IPD Quarterly License Plate Reader Progress Report)
- 6) Retain LPR records for a minimum of current year plus one year. If a log has an arrest or hit associated with it, it must be retained as part of the case folder. The LPR Coordinator will retain the original log until all arrests associated with the log page have reached a final disposition.

(b) Training

- 1) Officers are **prohibited** from using the LPR until they have been properly trained.
- 2) The training of officers in the use of the LPR will only be facilitated through approved interdepartmental LPR Trainers and documentation of same will be directed to the LPR Coordinator and the IPD Training Unit.

B. Patrol Operations

Deployment of LPR equipment is intended to provide access to stolen and wanted files, and for the furtherance of criminal investigations. Use is restricted to these purposes. No officer may use, or authorize the use of, the equipment or database records for any other reason.

1. Protocol:

- (a) Officers **MUST** notify and obtain approval from a supervisor to use the LPR during routine patrol. This information must be documented on the LPR System Use Log. (See attachment LPR Daily User Log)
- (b) The proactive entry of any data, except as stipulated in this directive, or the access to LPR records **MUST** be approved by a Supervisor, and the request **MUST** have a specific criminal investigative or patrol purpose.
- (c) A supervisor **MUST** be notified of all appropriate matters resulting from the LPR's use (i.e. pursuits, significant arrests, etc.).
- (d) Officers must complete a Daily LPR Activity Sheet
 - i. A quantity of blank copies of the Daily LPR Activity Sheet will be maintained in the LPR vehicle and in the patrol room of the Irondequoit Police Department.
 - ii. Each officer who drives and utilizes the LPR car will complete a Daily LPR Activity Sheet on which they will record a number of items including, but not limited to, the number of hits the LPR car alerted upon and the number of traffic tickets written during the officer's tour of duty.
 - iii. Once the officer completes his/her tour of duty, the Daily LPR Activity Sheet shall be forwarded to a platoon Command Officer.
- (e) The LPR coordinator will oversee the LPR program and review the Daily LPR Activity Sheets to ensure they are properly completed and logged. The Daily LPR Activity Sheets must be retained for a minimum of the current year plus one year. **If the Daily LPR Activity Sheet has an arrest associated with it, a copy must be retained as part of the arrest case folder.** The original Daily LPR Activity Sheet will be maintained by the LPR Coordinator. Should the original need to be presented in a court of law, a request/subpoena can be made to the LPR Coordinator.
- (f) LPR Investigative Queries
 - i) LPR data is stored for a short time frame on the LPR hard drive (up to thirty days).
 - ii) Access shall be limited to designated personnel in the department.
 - iii) Non-operating officers/investigators conducting investigative queries must document a query in their investigative report.

- iv) Hits associated with a query for investigative purposes will be documented by attaching a printout of the query to the investigative report.

(g) Special Details

- i. A supervisor **MUST** approve LPR use during non-traditional VTL details (i.e. in high crime areas during Operation Impact type details, or during directed criminal investigations).
 - a. Careful consideration must be given to appropriate staffing.
 - b. Participation by outside agencies is not prohibited.
 - c. Additional alert or local investigative plate data entries can be added to the LPR when necessary.

(h) LPR Vehicles

- i. A copy of the Car System User Guide shall be maintained in a folder in each LPR equipped vehicle.

(i) LPR Maintenance

- i. The LPR camera lenses shall be cleaned with a glass cleaner sprayed on a soft cloth at the beginning and end of each use.
- ii. Any damage shall be reported immediately to the LPR Coordinator through the chain of command.
- iii. Technical questions concerning the LPR shall be directed to the LPR Coordinator

(j) Hit Verification:

- i. The information received from License plates that are recognized as wanted hits is dated, typically up to 24 hours old.
- ii. Officers must verify all "hits" through NYSPIN, and follow all NYSPIN policies and procedures.
- iii. At this time the LPR does not interface with real time NCIC or NYSPIN data, the LPR is **ONLY** to be used as an investigative tool. **Therefore, officers should, if possible, confirm the validity of the hit prior to stopping the vehicle or as soon as safely possible after the stop.**

(k) Verified Hits on an unoccupied vehicle

- i. Officers will maintain visual observation while supervisory contact is initiated to determine if:
 - a. Immediate recovery action will be taken or
 - b. Investigative surveillance is necessary.

(m) Updating/Using LPR Wanted Files:

- i. It is the officer's responsibility for vehicles equipped with Traffic and Criminal Software (TraCS), at the beginning of each detail or shift using the LPR, a 'start-shift' from the TraCS application shall be conducted to

update and transfer the required wanted files to the vehicle computer.

C. Supervisory Responsibilities

1. Patrol deployment of the LPR will be at the direction of a patrol supervisor.
2. Ensure only approved LPR trained officers utilize the LPR.
3. Supervisors must approve all LPR vehicle and traffic enforcement details involving additional patrol vehicles/officers.
4. Supervisors will ensure that LPR officers complete and submit the Daily LPR Activity Sheet at the completion of each shift.
5. Supervisors will ensure that completed Daily LPR Activity Sheets are forwarded to the LPR Coordinator.
 - (a) In the event that a criminal arrest is made as the result of LPR use, the original Daily LPR Activity Sheet will be maintained by the LPR Coordinator and a copy will be placed in the arrest folder.
 - (b) Should the original Daily LPR Activity Sheet be requested for court, it will be requested or subpoenaed through the LPR Coordinator.

D. Mutual Aid Situations

1. Emergency Based Operations

- (a) During the course of normal law enforcement duties, incidents may occur that require immediate assistance from other local, county or state law enforcement agencies. The License Plate Reader can be a valuable tool in these situations, such as an AMBER Alert, bank robbery or other violent crime, and can help bring the incident to a safe and successful conclusion. Refer to IPD General Order #552 - Mutual Aid for policies and procedures related to such an event.

2. NYS AMBER and NYS DCJS Missing Child/College Student Alert Activations Communications

- (a) Upon receiving notification (via fax, NYSPIN, email or other notification system) that a NYS AMBER Alert or NYS DCJS Missing Child/College Student Alert activation has occurred,
 - (1) Officers must immediately review details and notify their supervisor.
 - (2) During an alert, Officers assigned to an LPR equipped vehicle must manually place involved vehicle plate number(s) into respective vehicle LPR databases.
 - (3) In the event that a vehicle plate number changes, officers using LPR equipment are to update the database entries.

- (4) Officers should proceed to patrol areas which are likely to increase the chance of encountering the vehicle.
- (5) Officers must promptly search the vehicle LPR databases to determine if a record of past encounters exists. If so, information should immediately be provided to supervision for investigative action.

(b) Recovery

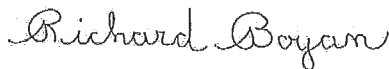
(1) If the vehicle is encountered, the actions taken should ensure the safe recovery of the missing child/student. All actions should be documented in accordance with agency policies and procedures.

(c) Additional data entry can be added to the LPR database during a detail.

These plates are then brought to the attention of law enforcement after the existing data has been downloaded into the LPR. Examples would be vehicles reported stolen after 5:00AM that date, AMBER or DCJS Missing Child/College Student Alert or any other vehicle involved in an incident or crime that is being sought by law enforcement.

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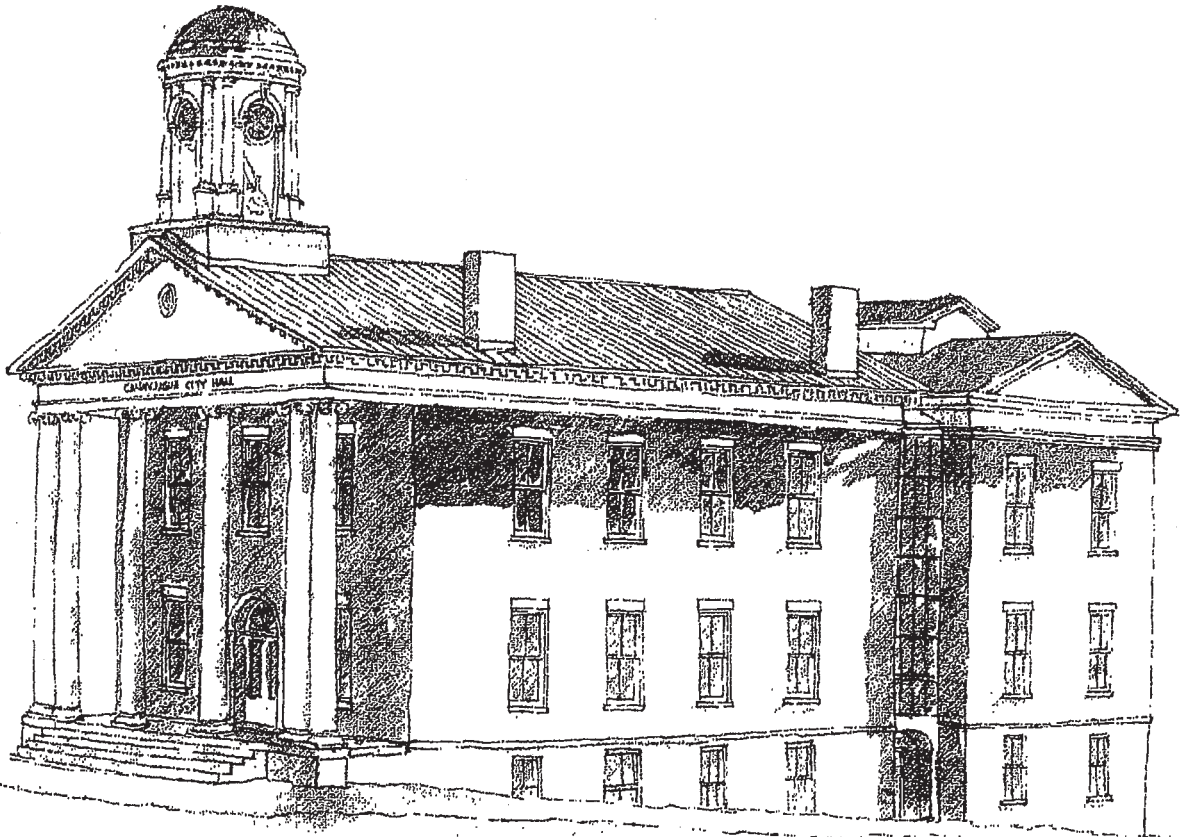
By Order of the Chief of Police



Richard J. Boyan

Record Retention and Disposition Schedule MU-1

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Government Records Services
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Law Enforcement: General

<p>*1. [521]</p>	<p>Incident data summary record, including blotter, "desk record book," or equivalent record containing summary record of department or station activities: RETENTION: PERMANENT</p>
<p>*2. [529]</p>	<p>Law enforcement reports, studies or data queries, including their documentation</p>
	<p>a. Reports, studies or queries having legal or fiscal value, such as reports covering use of equipment and personnel resources, reports on crime in specific neighborhoods or on specific kinds of criminal activity: RETENTION: 6 years</p> <p>NOTE: Appraise records covered by part "a" for archival value. Reports and studies analyzing law enforcement activity within a municipality for specific kind of criminal activity or a given area may be valuable for long-term planning, analysis trends in law enforcement, and for historical and other research. Contact SARA for additional advice.</p>
	<p>b. Reports, studies or queries having no legal or fiscal value, such as daily activity, individual officer "diaries," daily communications or other routine internal reports: RETENTION: 0 after no longer needed</p>
	<p>c. Uniform Crime Reports submitted to State Division of Criminal Justice Services: RETENTION: 1 year</p>
	<p>d. Incident-based reports or queries: RETENTION: 3 years</p>
	<p>e. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (local law enforcement agency copy): RETENTION: 0 after no longer needed</p> <p>NOTE: Appraise records covered by parts "e" and "f" for archival value. Reports and studies analyzing law enforcement activity within a municipality or specific area may be valuable for long-term planning, analysis of trends in law enforcement and for historical and other research. Contact SARA for additional advice.</p>
	<p>f. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (copy retained by county or regional creating agency): RETENTION: 3 years</p>
<p>*3. [523]</p>	<p>Case investigation record, (for adult, juvenile offender, youthful offender or juvenile delinquent) including but not limited complaint, investigation report, arrest report, property record, and disposition of the case</p>
	<p>a. For homicides, suicides, arson (first, second or third degree), missing persons (until located), active warrants, and stolen or missing firearms (until recovered or destroyed):</p>

	<p>RETENTION: PERMANENT</p>
	<p>b. For all felonies except those covered by parts "a" and "c": RETENTION: 25 years after case closed</p> <p>NOTE: Appraise case investigation files for these felonies for historical and other research value, as well as for analysis long-term trends. Contact SARA for additional advice.</p>
	<p>c. For fourth degree arson and non-fatal accidents: RETENTION: 10 years after case closed</p>
	<p>d. For misdemeanor: RETENTION: 5 years after case closed</p>
	<p>e. When offense involved was a violation or traffic infraction: RETENTION: 1 year after case closed</p>
	<p>f. When investigation reveals no offense has been committed by adult: RETENTION: 5 years</p>
	<p>g. When individual involved was a juvenile and no arrest was made, or no offense was committed: RETENTION: 1 year after individual attains age 18</p>
	<p>h. Domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when case investigation record is created: RETENTION: Retain for 4 years or as long as rest of case investigation report, whichever is longer</p>
*4. [804]	<p>Master summary record of case investigation information: RETENTION: 0 after no longer needed to access case investigation records</p> <p>NOTE: Appraise this record for archival value. This record may supplement the incident data summary record in providi summary information on all case investigations conducted by the law enforcement agency. Contact SARA for additional advice.</p>
*5. [524]	<p>Individual identification file, except jail or penitentiary prisoner case record, including but not limited to fingerprint car photographs, record sheets from other agencies, local arrest and disposition records, and miscellaneous reports</p> <p>NOTE: Section 160 of the Criminal Procedure Law requires that individual identification records be returned to the individual involved or destroyed when criminal actions are terminated in favor of the accused or by conviction for a noncriminal offense.</p>
	<p>a. When offense involved was a crime (misdemeanor or felony): RETENTION: 5 years after death of individual, or 0 after individual attains age 80, whichever is shorter, provided no arrest in the last 5 years</p> <p>NOTE: Records created before establishment of the D.C.J.S. statewide automated identification system in 1966 are not duplicated at the State level and should be appraised for both archival value and ongoing legal and administrative purposes. Contact SARA for additional information.</p>

	<p>b. When offense involved was a violation or traffic infraction: RETENTION: 5 years</p>
	<p>c. Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are retained in hard copy as part of part "a" or "b," above: RETENTION: 0 after no longer needed</p> <p>NOTE: Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are not retained in hard copy, must be retained as specified in part "a" or "b," above.</p> <p>NOTE: Appraise these digital files for archival, legal and administrative value. They may have long term value in criminal investigation. Contact SARA and the Division of Criminal Justice Services for additional advice.</p>
	<p>d. Digital fingerprint file, containing digital images used to produce fingerprint cards: RETENTION: 0 after no longer needed</p>
	<p>e. Photo arrays, created by combining identification photos for identification and investigative purposes: RETENTION: Retain as long as relevant case investigation record</p>
	<p>f. Criminal record summaries ("rap sheets"), received from Federal Bureau of Investigation or other law enforcement agency: RETENTION: Retain most current copy as long as relevant case investigation, or 0 after superseded or obsolete if unrelated to case investigation</p>
	<p>g. Authorized requests for criminal information contained in local government law enforcement agency records, along with response and record of action taken: RETENTION: 6 years</p>
*6. [805]	<p>Personal information data file</p>
	<p>a. Data on criminals and suspects: RETENTION: Retain data for 5 years after death of individual, or 0 after individual attains age 80, whichever is short provided no arrest in the last 5 years</p>
	<p>b. Data on associated persons, such as victims, relatives and witnesses: RETENTION: Retain data as long as, or information as part of, relevant case investigation record</p>
	<p>c. Documentation of updates and changes to data: RETENTION: Retain as long as data which has been changed or updated</p>
	<p>d. Trouble and discrepancy reports regarding personal information data: RETENTION: 3 years</p>
*7. [806]	<p>County- or region-wide arrest information cumulative data file, covering county- or region-wide area: RETENTION: Maintain as perpetual data file, with superseded or corrected data maintained for 3 years after data updated</p>
*8. [807]	<p>Profiling reports and related records, including macros, workspaces or other files (including all documentation) created in profiling process</p>

a. Relating to specific case investigation:
RETENTION: Retain as long as relevant case investigation record

b. Not relating to specific case investigation:
RETENTION: 0 after obsolete

Law Enforcement: Personal Property

*1. [525]	Personal property record
	<p>a. For dangerous weapon, including but not limited to receipt, identification tag, and report of destruction: RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, whichever is longer</p> <p>NOTE: Local law enforcement officials may wish to retain these records longer for investigative or other long-term administrative purposes. See also item no. 555, below.</p>
	<p>b. For other property, including but not limited to receipt, confiscated currency report, identification tag, and report of public auction or destruction: RETENTION: 6 years after disposition of property</p>
*2. [528]	Identification records for an individual person or for number-engraved property
	<p>a. Personal identification card for an individual (Sheriff ID): RETENTION: 3 years</p>
	<p>b. Property number assignment register: RETENTION: 0 after obsolete</p>
	<p>c. Identification/validation records for missing or stolen property, license plates, licenses, registrations or ID cards (if not part of case investigation records): RETENTION: 0 after no longer needed</p>
3.[532]	<p>Pawn shop records, including lists of pawn shops, purchase and sale reports and reports on stolen property: RETENTION: 5 years</p>
4.[550]	Bicycle licensing or registration record
	<p>a. When a fee is charged: RETENTION: 6 years after expiration or renewal</p>
	<p>b. When no fee is charged: RETENTION: 1 year after expiration or renewal</p>

Law Enforcement: Firearms

*1. [553]	<p>Firearm licensing file, including application for license to sell, carry, possess, repair and dispose of firearms, and supporting records such as affidavit of character reference, and verification of reason for license</p>
	<p>a. When application is approved: RETENTION: 6 years after license was renewed, canceled, revoked, or expired, or after individual is known to have deceased or reached age 90</p>
	<p>b. When application is disapproved, after any litigation is completed: RETENTION: 6 months</p>
2. [554]	<p>Individual firearm purchase record: RETENTION: 6 years</p>
*3. [555]	<p>Certificate of nondestruction of, or notice of intent to destroy, weapon or dangerous instrument, appliance, or substance, including results of New York State Police files search: RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, whichever is longer NOTE: See also item no. 525, above.</p>
*4. [557]	<p>Records of issuance of firearms or other weapons to law enforcement personnel: RETENTION: 3 years after return or other disposition of weapon</p>
*5. [558]	<p>Repair and maintenance records for firearms or other weapons used by law enforcement personnel: RETENTION: 3 years after weapon no longer in use</p>
*6. [808]	<p>Record of stolen or missing firearms: RETENTION: 0 after all firearms are located or destroyed</p>

Law Enforcement: Motor Vehicles (including watercraft)

*1. [544]	<p>Traffic and parking violation records, including parking, speeding or other appearance ticket (other than court's copy); officer's supporting deposition; parking violation hearing records; "boot and tow" records; and related records: RETENTION: 2 years after any litigation has been completed</p>
*2. [548]	<p>Speed-timing records</p>
	<p>a. Original record produced by radar or other speed-timing device: RETENTION: 2 years after any litigation has been completed</p>
	<p>b. Records of use of speed-timing, such as radar activity log and reports of speed monitoring: RETENTION: 3 years NOTE: These records may have long-term value in transportation planning, in providing information on average and excessive speeds for specific road segments.</p>

	<p>c. Calibration and other quality control and testing records for speed-timing devices: RETENTION: 3 years after device no longer in use</p>
*3. [545]	<p>Vehicle accident case record, including vehicle accident report and related records, after any litigation has been completed: RETENTION: 6 years, or 3 years after youngest individual involved attains age 18, whichever is longer NOTE: This item does not cover the case investigation record. See item no. 523, above.</p>
*4. [546]	<p>Vehicle history files, including information on specific vehicles or vehicle models, including those which have been involved in accidents or used in the commission of crimes: RETENTION: 0 after no longer needed</p>
*5. [547]	<p>Individual's driving and accident records</p>
	<p>a. Order, report, or notice concerning vehicle operator's license or registration, including but not limited to order of suspension or revocation of license, notice of compliance with order of suspension or revocation, notice of noncompliance, notice of restoration of license, and report of lost or stolen plates: RETENTION: 3 years</p>
	<p>b. Driver's summary record of accidents, violations and other activities: RETENTION: 0 after death of individual, or 90 years after date of birth, if death not verified</p>
*6. [549]	<p>Impounded or abandoned vehicle record, including but not limited to impound report, tow-away notice to owner, request for information to determine the last owner, notice to owner and lien holder(s) that vehicle has been taken into custody as abandoned, affidavit stating how ownership was acquired by municipality, transfer of ownership document, and bill of sale RETENTION: 6 years after disposition of vehicle by local government</p>
7. [551]	<p>Reports or other records of repossessed vehicles, not impounded by law enforcement agency: RETENTION: 1 year</p>
*8. [552]	<p>Vehicle towing records</p>
	<p>a. Lists of companies available for towing vehicles: RETENTION: 0 after superseded or obsolete</p>
	<p>b. Contract or agreement with towing firm: RETENTION: 6 years after expiration or termination</p>
*9. [809]	<p>Driver-vehicle examination report or equivalent record, created when local law enforcement agency conducts motor carrier safety inspection: RETENTION: 7 years</p>
*10. [810]	<p>Motor vehicle accident and other summary data, reports and other records: RETENTION: 6 years NOTE: Appraise these records for archival value. These records may be useful in providing summary information on all motor vehicle accidents, and may reveal long-term trends and accident-prone areas and vehicles. Contact SARA for</p>

additional advice.

Law Enforcement: Incarceration

*1. [537]	<p>Master summary record of all prisoners committed and discharged: RETENTION: PERMANENT</p>
*2. [811]	<p>Prisoner data file: RETENTION: Maintain data for each prisoner 15 years after death or discharge of that prisoner NOTE: If this record takes the place of the master summary record (item no. 537, above) then it must be retained permanently.</p>
*3. [538]	<p>Prisoner case record</p>
	<p>a. Case records, including but not limited to commitment, general information history, presentence investigation report record sheets from other agencies, record of personal property taken from prisoner upon commitment, record of letters written and received, copies of general correspondence concerning prisoner, reports of infractions of rules, prisoner's health records, and suicide prevention screening records, but not including commissary records: RETENTION: 15 years after death or discharge of prisoner</p>
	<p>b. Commissary records, including listing of items requested by prisoner, and prisoner transaction record: RETENTION: 3 years</p>
*4. [539]	<p>Facility housing supervision records, including prisoners' activities log, including such information as identities of visitors, prisoners' phone calls and mail, and records of visits to cells by officers checking on condition of prisoners: RETENTION: 3 years</p>
*5. [540]	<p>Prisoners' periodic work report listing names of prisoners by work assignments: RETENTION: 3 years after all prisoners listed were discharged</p>
*6. [541]	<p>Complaint or incident report involving alleged prisoner abuse, injury, or similar occurrence showing description of the problem, identifying the individuals involved and stating the action taken, after any litigation has been completed: RETENTION: 6 years, or 0 after individual involved attains age 21, whichever is longer</p>
*7. [542]	<p>Inspection, audit and other reports or studies, conducted by New York State Commission of Correction or other state local agency, covering such subjects as jail conditions, compliance with State standards, and prisoner fatalities: RETENTION: 6 years NOTE: Appraise these records for archival value. Local officials should retain permanently any reports or studies documenting serious incidents or problems, such as prisoner fatalities. Contact SARA for additional advice.</p>
*8. [543]	<p>Reports relating to local correctional facility or lock-up</p>
	<p>a. Reports containing legal and fiscal information: RETENTION: 6 years</p>

	<p>NOTE: Appraise these records for archival value. Reports and studies analyzing facility prisoners, occupancy or conditions may be useful for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact SARA for additional advice.</p>
	<p>b. Reports of short-term internal administrative value: RETENTION: 0 after no longer needed</p>
*9. [812]	<p>Population counts, including daily census of prisoners: RETENTION: 3 years</p>
*10. [813]	<p>Visitation records, including schedule of visits and visitor identification information: RETENTION: 3 years</p>
*11. [814]	<p>Dietary services records</p>
	<p>a. Food service records, including meal counts, roster of prisoners' dietorders, and dietary services studies: RETENTION: 3 years</p>
	<p>b. Menus: RETENTION: 1 year</p>
*12. [815]	<p>Health and sanitation inspection and related records, including records of action taken to correct any problems: RETENTION: 6 years</p>
*13. [816]	<p>Review and censorship records for incoming printed materials and publications, including evaluations by staff and suitability determinations: RETENTION: 3 years</p>
*14. [817]	<p>Prisoner exercise records, including schedule of exercise periods, results of exercise area searches and explanation of any limitations of exercise: RETENTION: 3 years</p>
*15. [818]	<p>Application of change in maximum facility capacity, including determination from New York State Commission of Correction, facility staffing determinations, and related records RETENTION: 3 years after superseded by subsequent change in capacity</p>
*16. [819]	<p>Substitute jail order issued by New York State Commission of Correction, authorizing the confinement of some of all prisoners in another correctional facility, and related records: RETENTION: 3 years</p> <p>NOTE: Appraise these records for archival value. These records may provide important information on conditions at the correctional facility which warrant the moving of prisoner(s) to another facility. Contact SARA for additional advice.</p>

Law Enforcement: Miscellaneous

*1. [522]	<p>Warrant execution and subpoena or summons service records</p>
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	<p>a. Original signature copies of arrest and other warrants executed by law enforcement agency: RETENTION: 5 years after warrant executed or recalled</p>
	<p>b. Other warrant related records, including copies without original signatures and warrant control records: RETENTION: 5 years after date of most recent entry in record</p>
	<p>c. Copies of subpoenas and summonses, and records of their service: RETENTION: 2 years</p>
	<p>d. Warrant information file: RETENTION: Maintain data on each warrant as long as that warrant is valid</p>
*2. [820]	<p>Domestic violence records, covering single or multiple incidents, not relating to specific case investigation records, including domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when no case investigation record is created: RETENTION: 4 years</p>
3. [535]	<p>Results of alcohol and drug tests administered by law enforcement personnel, when not included in case investigation records: RETENTION: 5 years</p>
*4. [526]	<p>Escort service record, including activities such as funeral, parade, military escort, escorting prisoner to and from court or jail, and delivery of blood to hospital: RETENTION: 3 years</p>
5. [527]	<p>Vacant place check record, including vacant houses and other places to be checked during patrols: RETENTION: 0 after obsolete</p>
*6. [530]	<p>Alcoholic beverage establishment sale and use reports, including checks of New York State Division of Alcoholic Beverage Control (ABC) violations: RETENTION: 5 years</p>
*7. [531]	<p>Parolee and sex offender records</p>
	<p>a. Lists of parolees or sex offenders living within a jurisdiction: RETENTION: 0 after superseded or obsolete</p>
	<p>b. Detailed records on individual parolee or sex offender: RETENTION: 0 after person's parole terminated</p> <p>NOTE: This does not include records created pursuant to the Sex Offender Registration Act, which are covered by item nos. 821 and 822, immediately below.</p>
*8. [821]	<p>Subdirectory of High-Risk (Level 3) Sex offenders: RETENTION: 0 after superseded</p> <p>NOTE: The Division of Criminal Justice Services (DCJS) strongly recommends the destruction of superseded information as soon as superseding information is received.</p>

*9. [822]	Sex offender registration records , including but not limited to official notification upon registration, change of address information, determination of final risk level, notification of error or change in jurisdiction, notification that offender is no longer registerable, annual address verification, 90 day personal verification (for level 3 offenders), and community notification information
	a. For level 1 or 2 offender, when offender remains in local law enforcement agency's jurisdiction: RETENTION: 0 after death of individual, or 5 years after completion of registration period, whichever is earlier
	b. For level 1 or 2 offender, when offender has left local law enforcement agency's jurisdiction: RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier
	c. For level 3 offender, when offender remains in local law enforcement agency's jurisdiction: RETENTION: 0 after death of individual, or individual attains age 100
	d. For level 3 offender, when offender has left local law enforcement agency's jurisdiction: RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier
*10. [533]	Missing person records
	a. Missing person files, covering any records not included in case investigation records: RETENTION: 10 years, or 0 after individual attains age 90, whichever is longer
	b. Validation records, received from and submitted to State Division of Criminal Justice Services (D.C.J.S.): RETENTION: 6 months
*11. [823]	Video tape or other recording of booking or arrest processing
	a. When litigation and/or criminal proceedings have commenced: RETENTION: 3 years, but not until any individual has attained age 21, and not until 1 year after any litigation or criminal proceedings have concluded
	b. When litigation and/or criminal proceedings have not commenced: RETENTION: 3 years, but not until any individual has attained age 21
*12. [824]	Copy of order of protection , filed with local law enforcement agency having jurisdiction, pursuant to Article 530, Crimin Procedure Law, and related records
	a. Copy of order of protection: RETENTION: 6 months after order expires or otherwise becomes invalid
	b. List or similar record of orders of protection in effect in local jurisdiction: RETENTION: Maintain data on each order as long as that order is valid
*13. [825]	Video tape or other recording taken from mobile unit
	a. When recording relates to specific case investigation: RETENTION: Retain as long as the case investigation to which the recording relates is retained
	b. When recording does not relate to specific case investigation, such as routine traffic stop:

RETENTION: 6 months

NOTE: Recordings of potentially important incidents may warrant longer retention for legal reasons, even if no case investigation has been initiated. Local law enforcement agencies should carefully review these recordings before destroying or reusing them. In addition, recordings of specific pursuits, arrests and other serious incidents should be appraised for archival or long-term administrative value. Contact the State Archives for additional advice.

Child abuse or maltreatment reports and related records, reporting law enforcement agency copy, when **not** included case investigation record:

RETENTION: 3 years

**14.
[536]

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by law enforcement agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units or county social services departments. If these records are included in case investigation records, see item no. 523.

Law Enforcement: N.Y.S.P.I.N. and Related Records

*1. **Lists and posters showing "most wanted" persons, and all points bulletins (APBs):**

[826] **RETENTION:** 0 after superseded or no longer needed

*2. **N.Y.S.P.I.N. validation records**, including monthly print-out received from New York State Police and related system error validation records:

[827] **RETENTION:** 13 months from date report received

*3. **N.Y.S.P.I.N. system purging records**, including "purge reports" received from New York State Police and records related to data reentry:

[828] **RETENTION:** 0 after any necessary data reentry completed

*4. **N.Y.S.P.I.N. message records**, covering any messages sent or received over N.Y.S.P.I.N. system:

[829] **RETENTION:** 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining significant messages as part of case investigation records.

*5. **Daily "archive" information** retained in electronic format (on diskettes) from N.Y.S.P.I.N. system:

[830] **RETENTION:** 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining archive diskette data as long as may be needed for convenience of reference.

*6. **Log of all transactions**, covering all data entry into N.Y.S.P.I.N. system:

[831] **RETENTION:** 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining electronic logs as long as may be needed for convenience of reference.

*7.

[832]	<p>Individual person's authorization to use the N.Y.S.P.I.N. system</p>
	<p>a. Records created by local law enforcement agency, including records of individual's training and acknowledgment test results: RETENTION: 0 after individual no longer authorized to use the system</p>
	<p>b. Listing of authorized individuals, received from State Police: RETENTION: 0 after no longer needed</p>
*8. [833]	<p>Miscellaneous paper records created from former version of N.Y.S.P.I.N. system in use prior to 1996: RETENTION: 0 after no longer needed</p>